

URBAN/MUNICIPAL

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A31

Sept/24/91 - Dec/10/91

Agenda / Minutes of
the Meetings of the Council
of Hamilton

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

71 MAIN STREET WEST
HAMILTON, ONTARIO
L8N 3T4

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URBAN MUNICIPAL

SEP 24 1991

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, September 24, 1991
7:30 o'clock p.m.
Council Chambers, City Hall**

A G E N D A

1. Opening Prayer

Father Emeric Fuzy
St. Cyril and Methodius Slovak Roman Catholic Church

2. Certificate of Appreciation

Mayor Arthur Eggleton, City of Toronto

3. Certificate of Recognition

Mr. Enrico Henry Mancinelli

4. 35 Year Service Presentations

- (a) Mr. Charles Ellis
Fire Department
- (b) Mr. Sam Esposto
Public Works Department
- (c) Mr. Kenneth Kiernan
Fire Department
- (d) Mr. Leonard Lockwood
Public Works Department

5. Civic Awards

Cardinal Newman Express Soccer Team

6. Proclamations

- (a) Hamilton Civic Employee Charity Fundraising Campaign -
September 30 to October 4, 1991
- (b) Legion Week, September 15 to September 21, 1991
- (c) Ontario Home Week, September 22 to September 28, 1991

7. Minutes

August 27, 1991

8. Petitions and Correspondence

9. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (d) Information Systems Committee
- (h) Finance and Administration Committee

10. Notice of Motion from Previous Meeting

Alderman T. Murray

11. Notices of Motion for Next Meeting

12. First Reading of the Bills

13. Second Reading of the Bills - Committee of the Whole

14. Third Reading of the Bills

15. Question Period

16. Adjournment

M I N U T E S

Hamilton City Council
August 27, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson,
Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray.

Absent: Alderman Ross - Vacation

Mayor Morrow called the meeting to order.

* * * * *

Father Charles Galea, St. Luke's Roman Catholic Church led the Council in prayer.

* * * * *

The following presentations were made:

An Award was presented to the City of Hamilton by the Canadian Association of Municipal Administrators for excellence in Municipal Administration.

A Certificate of Appreciation was presented to Mr. Michael Temperley, General Manager, Gown & Gavel for their enthusiastic leadership and dedication in attracting and organizing the 1991 Hess Village Jazz Festival.

A Certificate of Appreciation was presented to Mr. Jim Skarratt, President, Skarratt Promotions for their enthusiastic leadership and dedication in attracting and organizing the 1991 Hess Village Jazz Festival.

A Certificate of Recognition was presented to Mr. George Aldighieri, Owner, Union Boiler Company of Hamilton Ltd. who has made an outstanding contribution to our community during his 25 years of business.

A Certificate of Recognition was presented to Mr. Osvaldo Fava on being honoured and decorated by the President of the Republic of Italy on receiving the "Cavaliere Al Merito Della Repubblica Italiana Award".

* * * * *

August 27, 1991

The following proclamations were presented:

Mayor Morrow proclaimed the Month of September to be "Big Brother Month".

Mayor Morrow proclaimed the week of September 1st to 8th, 1991 to be Labatt Canada Cup Week".

The minutes of the meeting held July 30, 1991 were taken as read and approved.

* * * * *

Correspondence:

1. Letter dated August 14, 1991 from Mr. Andy Robertson re: sale of city owned lands on Gerrard and Brant Streets to Phillip Enterprises Inc.

Referred to the Planning and Development Committee.

2. Letter dated August 15, 1991 from Jerome N. Sprackman, President, Landawn Shopping Centres Limited respecting taxes.

Referred to the Finance and Administration Committee.

3. Resolution dated July 15, 1991 from the City of Vancouver respecting Comprehensive Nuclear Weapons Test Ban.

Referred to the Finance and Administration Committee.

4. Application dated August 1, 1991 from Rymal Gardens Inc. Hamilton, Ontario for a change in zoning from "RT-10" to "RT-20" for land on the east side of the proposed extension of Upper Wentworth Street in the area north of Rymal Road East, Hamilton, Ontario.

Received.

August 27, 1991

5. Application dated August 20, 1991 from Kingdom Properties Inc., Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial etc, (District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for 623 Upper James Street, Hamilton, Ontario.

Received.

6. Application dated August 20, 1991 from Ritlyn Investments Ltd., Hamilton, Ontario for a change or modification in zoning to permit parking for property at No. 95 Mary Street, Hamilton, Ontario.

Received.

7. Application dated August 21, 1991 from Harnox Holdings Limited, Don Mills, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for No. 1051 Upper James Street, Hamilton, Ontario.

Received.

8. Letter dated August 8, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law No. 91-125 respecting 1285 Upper Gage Avenue, Hamilton, Ontario.

No Action.

9. Letter dated August 26, 1991 from Zenon Kulchisky of 572 Queen Victoria Drive withdrawing his objection of July 24, 1991 to By-law 91-125 respecting property at 1285 Upper Gage Avenue, Hamilton.

Received.

10. Letter dated August 27, 1991 from Paul Fenlon regarding auto insurance in the Province of Ontario.

It was moved by Alderman Agostino and seconded by Alderman Lombardo that the correspondence from Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario be considered at this meeting of City Council.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

NAYS: 0.

CARRIED.

11. Copy of a memorandum dated August 27, 1991 from David Christopherson, M.P.P., Hamilton Centre to members of Regional Council along with an accompanying letter dated August 23, 1991 from the Minister of Health to David Christopherson respecting the redevelopment of St. Peters' Hospital.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, with Alderman Gallagher in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray.

NAYS: 0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - TWELFTH REPORT

Section 1 Agreement granting the Steel Company of Canada access over city owned lands used as an Industrial Spur Line - Parkdale Avenue North - terminated

Alderman Agro declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman Agro acts in a consulting capacity re: employee benefit plans.

* * * * *

Section 14(i) Four Way Stop - Christie Street and Kennedy Avenue and Christie and Alderson Drive.

It was moved by Alderman Murray and seconded by Alderman Merling that section 14(i) of the Twelfth Report of the Transport and Environment Committee be amended by deleting the word "or" immediately before the words "Christie Street" and replacing it with the word "and".

CARRIED.

* * * * *

PARKS AND RECREATION COMMITTEE - SIXTEENTH REPORT

Section 1 Permission to serve beer and wine at Gage Park - Roselawn Bowling Club

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray. 15.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 2 Posters - Hamilton Tiger Cat Football Club

It was moved by Alderman Murray and seconded by Alderman Jackson that section 2 of the Sixteenth Report of the Parks and Recreation Committee be amended by adding sub-section (e) as follows:

"That posters erected by the Hamilton Tiger Cat Football Club at the Hamilton Mountain Arena and other civic facilities be removed by the Hamilton Tiger Cat Organization and if this is not done within reasonable time they be removed by the Public Works Staff of the City of Hamilton and costs charged to the Tiger Cat Football Club."

CARRIED.

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PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT

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FINANCE & ADMINISTRATION COMMITTEE - SIXTEENTH REPORT

Section 8 Use of City Hall forecourt - Employees of the Local Auto Insurance Industry

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro has a licence to sell auto insurance.

* * * * *

Section 12 Province be requested to Amend the City of Hamilton Act, 1985 HECFI

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Hinkley, Drury, Copps, Wilson, Formosi, Jackson, Gallagher, Murray. -10.

NAYS: Alderman Kiss. -1.

CARRIED.

* * * * *

Section 24 By-law to amend By-law 80-258 respecting Smoking in Public Places

Alderman Jackson declared personal interest, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a coffee shop which could be affected.

* * * * *

Section 24 (1) (a) (i) Prohibit smoking in rest rooms in a retail shop and parts of a retail shop used as Offices.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Gallagher. 12.

NAYS: Aldermen Formosi, Merling, Murray. -3.

CARRIED.

* * * * *

Section 24 (1) (a) (ii) Prohibit smoking in a hairdressing parlours and Barbershops

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. -8.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray. -7.

CARRIED.

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Section 24 (1) (b) Prohibit smoking in a Patient Car Area of a Hospital

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Murray. - 12.

NAYS: Aldermen Formosi, Merling. -2.

CARRIED.

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Section 24 (1) (c) Prohibit smoking in reception Areas

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Gallagher, Murray. -10.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling. -5.

CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Agostino that sub-section (d) of Section 24 (1) of the Sixteenth Report of the Finance and Administration Committee be amended by deleting "coffee shops" and including "coffee shops" in Sub-Section (2) of Section 24.

LOST.

Section 24 (1) (d) Increase the no smoking area in a restaurant from 20% to 50%

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

NAYS: Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray. -6

CARRIED.

* * * * *

Section 24(1) (e) (i) Prohibit smoking in laundry rooms and common areas in apartment buildings

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. -11.

NAYS: Aldermen Lombardo, Formosi, Merling, Murray. -4. **CARRIED.**

* * * * *

Section 24 (1) (e) (ii) Prohibit smoking in meeting and recreation rooms in apartment buildings

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Agostino -7.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Lombardo, Formosi, Merling, Gallagher, Murray. -8. **LOST.**

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Section 24 (1) (f) Prohibit smoking in Bus Shelters

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino. - 10.

NAYS: Aldermen Lombardo, Formosi, Merling, Gallagher, Murray. -5
CARRIED.

* * * * *

Section 24 (1) (g) Prohibit smoking in Common Areas of shopping malls with the exception of food courts

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Gallagher. - 11.

NAYS: Aldermen Lombardo, Formosi, Merling, Murray. -4 **CARRIED.**

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Section 24 (1) (h) Change the maximum fine from \$2,000 to \$5,000

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 10.

NAYS: Aldermen Agro, Formosi, Merling, Gallagher, Murray. -5
CARRIED.

* * * * *

Section 24 (1) (i) Review of By-law within two years of date of by-law

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4
CARRIED.

* * * * *

Recorded vote.

Section 24 (1) (j) Effective date of by-law - January 1, 1992

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. - 10.

NAYS: Aldermen Drury, Formosi, Merling, Gallagher, Murray. -5
CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Hinkley that Sub-Section (2) of Section 24 of the Sixteenth Report of the Finance and Administration Committee be amended by deleting the word "not" in the first sentence. **CARRIED.**

Section 24 (2) as amended Re: Prohibit Smoking in 20% of the seating capacity of Bars, Lounges and Taverns.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Wilson, Lombardo, Formosi. - 8.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Agostino, Merling, Gallagher, Murray - 7
CARRIED.

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Section 24 (3) Smoking Restrictions in Places of Public Assembly.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4
CARRIED.

* * * * *

Section 24 (4) Advertise in local newspapers to advise the public of legislation

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo. - 11.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4
CARRIED.

* * * * *

Section 25 Establish an official target of achieving the goal of a smoke free community

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Jackson. - 12.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. -4

CARRIED.

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It was moved by Alderman Murray and seconded by Alderman Merling that Section 27 of the Sixteenth Report of the Finance and Administration Committee be amended by adding section (f) as follows:

"That the City of Hamilton require the Regional Municipality of Hamilton-Wentworth to pay costs associated with this claim."

CARRIED.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Lombardo that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to consider correspondence from Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario.

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro has a licence to sell auto insurance.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

NAYS: -0.

CARRIED.

* * * * *

Section 34 Public Auto Insurance

It was moved by Alderman Cooke and seconded by Alderman McCulloch that the correspondence from Mr. Paul Fenlon dated 1991 August 27 regarding auto insurance in the Province of Ontario be referred to the Finance and Administration Committee for review and subsequent report back to City Council.

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury Formosi. -4.

NAYS: Mayor Morrow, Aldermen Kiss, Hinkley, Copps, Wilson, Agostino, Lombardo, Jackson, Gallagher, Murray. -10. **LOST.**

It was moved by Alderman Agostino and seconded by Alderman Lombardo that the following be added to the Sixteenth Report of the Finance and Administration Committee as Section 34:

"That Hamilton City Council forward letters to the Premier of Ontario, the Minister of Financial Institutions, the Minister of Municipal Affairs and local M.P.P.'s supporting the employees of the insurance industry in the Greater Hamilton area in their fight against public auto insurance in the Province of Ontario.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Copps, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -10.

NAYS: Aldermen Cooke, McCulloch, Hinkley, Wilson. -4. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Murray be appointed Acting Mayor for the month of September, 1991.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee and resolutions, be adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Gallagher, Murray. -12.

NAYS: -0. **CARRIED.**

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NOTICE OF MOTION

Alderman Murray gave notice that he intends to move the following resolution at the next meeting of City Council:

"That City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following bills be now read a first time:

A-55, A-56, A-57.
C-59, C-60, C-61, C-62.
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Gallagher in the chair. (second reading)

A-55, A-56, A-57.
C-59, C-60, C-61, C-62.
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0. **CARRIED.**

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Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-55, A-56, A-57.
C-59, C-60, C-61, C-62.
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-55, A-56, A-57.
C-59, C-60, C-61, C-62.
H-38, H-39, H-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Merling, Gallagher, Murray. -13.

NAYS: 0.

CARRIED.

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City Council then adjourned at 10:00 o'clock p.m.

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CORRESPONDENCE

1. Resolution dated August 21, 1991 from the Corporation of the City of Windsor respecting bicycle promotion.

Recommendation: **Be Referred to the Transport and Environment Committee.**

2. Letter dated September 9, 1991 from CP Rail respecting the former TH&B Roundhouse.

Recommendation: **Be Referred to the Planning and Development Committee.**

3. Application dated August 29, 1991 from Elio Borchetta, Hamilton, Ontario for a modification to the established "B-1" (Suburban Agriculture and Residential, etc.) District regulations for No. 52 Heather Road, Hamilton, Ontario.

Recommendation: **Be Received.**

4. Application dated August 29, 1991 from Kids Care Oncology Central West (Ronald McDonald House), Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District for lands on the west side of Cootes Drive in the area north of Main Street West, Hamilton, Ontario.

Recommendation: **Be Received.**

5. Application dated August 29, 1991 from Anthony Charles Dabner and David Dennis Hill, Hamilton, Ontario for a modification to the established "K" (Heavy Industry, etc.) District regulations for No. 276 Sanford Avenue North, Hamilton, Ontario.

Recommendation: **Be Received.**

6. Application dated September 4, 1991 from Vedemo Construction Limited, Hamilton, Ontario for a modification to the "E-3" (High Density Multiple Dwellings) District for 131-133 Market Street, Hamilton, Ontario.

Recommendation: **Be Received.**

7. Application dated September 4, 1991 from 943937 Ontario Inc. (John L. LeCluse), Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District for 1489, 1491, 1493, 1495 Upper James Street, Hamilton, Ontario.

Recommendation: **Be Received.**

8. Application dated September 18, 1991 from Peter Georgakopoulos, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District for 1050 Rymal Road East, Hamilton, Ontario.

Recommendation: Be Received.

9. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-142 regarding property at 64 Ewen Road, Hamilton, Ontario. (previously distributed).

Recommendation: Be Received.

10. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-144 regarding property at 402 Upper Wentworth Street, Hamilton, Ontario (formerly Inverness Public School). (previously distributed).

Recommendation: Be Received.

THE CORPORATION OF THE
CITY OF WINDSOR

RECEIVED

SEP - 6 1991

THOMAS W. LYND, M.A., A.M.C.T.
CITY CLERK



OFFICE OF THE CLERK

CITY HALL
WINDSOR, ONTARIO
CITY CLERKS

PHONE: (519) 255-6212
255-6215

FAX: (519) 255-6868

IN REPLY, PLEASE REFER
TO OUR FILE NO. _____

August 21, 1991

MBB/91 sf

TO ALL ONTARIO MUNICIPALITIES WITH A POPULATION OVER 50,000:

Windsor City Council at its meeting held July 29, 1991 considered the attached report of the Windsor Bicycling Committee and adopted resolution M98-91 which directed that the Minister of Treasury and Economics be petitioned to contribute a percentage of the revenue generated from the "Gas Guzzler" tax to municipalities promoting the use of bicycles.

Since bicycle usage not only assists in cleaning the environment, but also helps to conserve fuel consumption, your support of allocating funds for bicycle related projects would be appreciated.

Yours very truly,

A handwritten signature in dark ink, appearing to read 'Thomas W. Lynd', is written over a horizontal line.

Thomas W. Lynd
City Clerk

SF/ml
Attachment

SF/kz

Windsor, Ontario, July 29, 1991

REPORT NO. 9
of the Windsor Bicycling Committee
of its meeting held
June 25, 1991 in Room B-3, City Hall
at 4:30 o'clock p.m.

Present: Ted Andkilde, Chairperson
Councillor Peter Carlesimo
Mark Buckner
Rick Coronado
Bill Desmarais
Jim Merdith
Diane Rogers

Your Committee submits the following recommendation:

That the Honourable Floyd Laughren, Minister of Treasury & Economics, BE PETITIONED to allocate a percentage of the revenue generated from the new conservation tax to be levied on certain vehicles, to those municipalities involved in promoting the use of bicycles through the construction of bikepaths and other relative initiatives, and further this resolution BE FORWARDED to the Honourable Ruth Grier, Minister of the Environment and to the Association of Municipalities of Ontario and to municipalities having a population over 50,000 for support.

CHAIRPERSON

SECRETARY

2.

CP Rail

SEP 13 1991

G R Mackie
Executive Vice-President

Toronto, September 9, 1991

His Worship
Mayor Robert M. Morrow
City of Hamilton
City Hall
71 Main Street West,
Hamilton, Ontario,
L8N 3T4

Dear Mayor Morrow:

Subject: Former TH&B Roundhouse

This refers to your letter of August 5, 1991 addressed to Mr. I.B. Scott, concerning the former TH&B Roundhouse at Hamilton, Ontario.

In our discussions with Alderman McColloch, CP Rail has outlined its concerns over the condition of the former Roundhouse which represents a serious liability to the Company. Mr. Cairns confirmed these concerns to Alderman McColloch in his letter of August 20, 1991. However, we are not opposed to delaying our plans to demolish the building, in order to permit the City an opportunity to secure funding for the purchase of the property and rehabilitation of the building.

CP Rail is prepared to delay demolition of the Roundhouse until November 30, 1991. To do this, we must ask the City to assume liability for the building and compensate CP Rail for any costs associated with this delay, such as the termination of the demolition contract. Would you please confirm that this is acceptable.

Mr. Cairns would be pleased to work with the City's representatives to resolve purchase matters. I wish you every success in this initiative.

Sincerely,


G.R. Mackie



August 5th, 1991

Mr. I. B. Scott, C.E.O.
C.P. Rail
P.O. 6042, Station A
MONTREAL, Quebec
H3C 3N4

Dear Mr. Scott:

RE: C.P. RAIL (FORMER T.H. & B.) ROUNDHOUSE

I would like to draw your attention to a matter of concern related to a C.P. Rail property in the City of Hamilton. There is a 16 acre site located in the south-west section of our city where a very remarkable complex of historic railway structures is located, the most important of which is a 27-stall roundhouse complete with a 100 ft. turntable.

We recognize the need for C.P. Rail to dispose of surplus properties but given the uniqueness of the buildings we are requesting time to pursue other alternatives to the proposed demolition of these structures. I have been advised recently that C.P. Rail is considering demolishing these structures some time around the end of July, 1991.

Hamilton City Council at its last meeting on July 30th supported a request for a three month delay to allow investigation into other possible uses. Council also supported a request to the Provincial Government to consider the Roundhouse as the future location for their proposed Museum of the Working Man.

The C.P. Rail Roundhouse and adjacent buildings are considered to be an irreplaceable resource which forms an integral part of Hamilton's industrial heritage. The three month delay of demolition would give the city the opportunity to explore possible alternative solutions. We thank you for the consideration of this matter.

Yours sincerely,

A stylized, handwritten signature in dark ink, appearing to read "Morrow".

Robert M. Morrow
Mayor

/pb.

cc: Ald. Dave Wilson
Mr. Len Clarke, Superintendent Ontario South



City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone: (416) 546-2790

Address: cc Mr. Len Clarke, Superintendent
Ontario South
C.P. Rail
Room 222, Union Station
Toronto, Ont. M5J 1E8

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close a portion of the unassumed alleyway at the rear of Number 34 Thorndale Avenue;
- ii. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- iv. That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- v. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;
- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners;
- vii. That the applicant provide an easement to Bell Canada for a pole line within the limits of the closure;

- (b) Provided the Judge's Order to close the highway is granted:
- i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed highway to the abutting owner(s);
 - ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.
2. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalk on the east side of Centennial Parkway between Hamilton/Stoney Creek City limits and Vineyard Road.
3. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalks on south side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
4. That upon receiving the final approval from the Ministry of Environment, the Real Estate Division of the Property Department be authorized to sell the twenty-four (24) building lots in the City's Wheten Court Plan of Subdivision on Mohawk Road East by the Public Tender Process.
5. (a) That an Agreement to Accept Compensation executed by Anthony DiSilvestro, President of 800064 Ontario Inc. on August 8, 1991 and scheduled for closing on or before October 21, 1991, be approved and completed. This property which is required for the establishment of a roadway in Falkirk East Neighbourhood (Rymal Estates Subdivision) has a frontage along the northerly limit of Rymal Road West of 20.117 metres (66 feet) more or less, containing 5,620.5 square metres (1.388 acres) shown as Parts 1 and 2 on Expropriation Plan No. 440182 C.D. registered on December 18, 1987. The purchase price of \$23,346.75 (including \$745.75 tax adjustment), be charged to Account Number CH5X323 00107 (Reserve-City's Share of Services Through Unsubdivided Lands);
- (b) That on closing of this transaction, the former owner agrees to pay to the City the sum of \$3,000.00 to reimburse the City for a portion of the costs in carrying out this expropriation. This amount be credited to Account Number CH59050 30001 (Outside Recoveries);

- (c) That prior to the payment of final compensation, the City shall receive:
 - i. from Kee-Salvalaggio Limited a Direction to make payments herein to 800064 Ontario Inc. and both from 800064 Ontario Inc. and from Kee-Salvalaggio Limited, a Deed together with a Full and Final Release, all executed under their respective corporate seals;
 - ii. the City's original Offer of Compensation cheque (with tax adjustments) of \$45,945.75, or this amount shall be returned to the City, as the final settlement herein agreed to is for the total sum of \$22,601.00, (plus the said tax re-adjustment of \$745.75).
- 6. That Regional Council be requested to introduce a comprehensive advertising campaign to promote the mulching and/or composting of grass as opposed to the gathering and bagging of grass clippings, thereby reducing the tonnage of garbage being picked up along with the household garbage, then being hauled to SWARU and/or the landfill site.
- 7. (a) That the Transport and Environment Committee recommend to City Council that the construction of an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue be proceeded with as a Local Improvement pursuant to Section 12 of the Local Improvement Act, at an estimated gross cost of forty thousand, eight hundred and fifty dollars (\$40,850.), as provided in the 1991 portion of the 1991-1995 Capital Budget with a City share of forty thousand, eight hundred and fifty dollars (\$40,850), and;
- (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project, and;
- (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.

8. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing:

The application of D. Baird agent, for the Westdale Business Improvement Association (944 King Street West, Hamilton), to temporarily close the south parking lane on the King Street West road allowance between Paisley Avenue and Marion Avenue, from 10:00 a.m. Friday, September 13, 1991 to 12:00 midnight Saturday, September 14, 1991, and King Street West, between Newton Avenue and South Oval from 8:00 a.m. to 12:00 midnight on Saturday, September 14, 1991, subject to the following conditions:

- (a) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
- (b) That advance temporary road closure signs be installed one week in advance by the City of Hamilton, Traffic Department, on the affected roadways and at the expense of the organizing group;
- (c) That the applicant ensure the clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
- (d) That the applicant provide proof of \$2,000,000 public liability insurance naming the City as an added insured party with a provision for cross liability, and holding the City harmless from all actions, causes of action, interests, claims demands, costs, damages, expenses and loss;
- (e) That the applicant reimburse the Regional Police, Transportation/Environmental Services, City of Hamilton, Traffic Department and any other agency for any actual costs incurred by these agencies as a result of this event;
- (f) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (g) That all property owners and tenants along the closed portion of the route be notified of the festival by the applicant at least two weeks prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

9. (a) That Section 11 of the Transport and Environment Committee Report, 12-90, adopted by City Council on 1990, September 25 which refers to the approval of the engineering schedules for "EASTGATE HEIGHTS EXTENSION, HAMILTON", be deleted and,
- (b) That the following submitted schedules, be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in:

"EASTGATE HEIGHTS EXTENSION", HAMILTON

City's Share - NIL - Subdivider's Share - \$46,595.71

Note: Schedules revised to include 7% G.S.T. on inspection fees.

"QUEENSTON HEIGHTS"

City's Share - NIL - Subdivider's Share - \$177,088.00

- (c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the respective owners;
- (d) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Plans and subdivision agreements have been registered;
- (e) That in the event any Subdivider wishes to proceed prior to the registration of the Final Survey Plan, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.
10. (a) That the following City lands be incorporated into the various streets as noted below:

Queen Victoria Drive	Part 11, Plan 62R-6257, and Block "AX", Plan M-192
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Glen Forest Drive	Block "A", Registered Plan 1421, and Block "F", Plan M-62
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- (b) That the appropriate By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council;
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

11. (a) That the proposed roadway improvements on Centennial Parkway and Arrowsmith Road and the intersection realignment of Centennial Parkway and Arrowsmith Road, including the installation of traffic signals at this intersection required as a result of construction of a proposed commercial plaza on the east side of Centennial Parkway at Arrowsmith Road, be advertised in accordance with Section 301 of the Municipal Act;
- (b) That Hamilton Home and Design Centre Incorporated be advised of this action.
12. (a) That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for National Slag Limited at 139 Windermere Road in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
13. That City Traffic **By-Law 89-72** be amended as follows:
 - (a) i. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of Glencarry Avenue which commences at a point 114 feet north of King Street and extends to a point 61 feet northerly therefrom, be replaced with a "Two Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation; and
 - ii. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m. Monday to Friday" regulation on the west side of Glencarry Avenue which commences at a point 124 feet north of King Street and extends to a point 51 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.

- (b) That an "Alternate Side Parking" regulation be implemented on Norfolk Street North between Main Street and Sanders Boulevard such that parking is prohibited:
- on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and
 - on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.
- (c) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Crockett Street between East 34th Street and East 35th Street and on the south side of the street between East 35th Street and a point 118 feet westerly therefrom.
- (d) i. That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on both sides of Milton Avenue from Barton Street to Myler Street be replaced by a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and
- ii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 369 feet north of Barton Street and extending to a point 51 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation; and
- iii. That the existing "No Parking" regulation on the east side of Milton Avenue commencing at a point 104 feet north of Barton Street and extending to a point 93 feet northerly therefrom, be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.
- (e) That a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., Monday to Friday" regulation be implemented on both sides of Delmar Drive commencing at a point 597 feet east of Columbia Drive and extending to a point 490 feet easterly therefrom.
- (f) That a "No Stopping" regulation be implemented on the west side of Hess Street North, commencing at point 74 feet south of Peter Street and extending to a point 116 feet southerly therefrom.

- (g)
 - i. That a "Permit Parking" regulation be implemented on the south side of Picton Street East between John Street North and Catharine Street North; and
 - ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first ten eligible applicants residing on Picton Street East between John Street North and Catharine Street North.
- (h) That the By-law authorizing the installation of parking meters on the north side of King William Street between John Street North and Catharine Street North be rescinded.
- (i) That the existing "No Parking" regulation on the south side of Luscombe Street which commences at Upper Wellington Street and extends to a point 75 feet westerly therefrom be extended, such that the regulation commences at Upper Wellington Street and extends to a point 125 feet westerly therefrom.
- (j) That parking be prohibited on the east side of Southwood Drive between Fennell Avenue and the north curb line of Morningside Drive.
- (k)
 - i. That a "No Stopping" regulation be implemented on the east side of West Avenue South commencing at King Street East and extending to a point 96 feet southerly therefrom; and
 - ii. That a "No Parking" regulation be implemented on the west side of West Avenue South commencing at King Street East and extending to a point 115 feet southerly therefrom.
- (l) That the existing "No Parking" regulation on the south side of Maplewood Avenue which commences at Sherman Avenue South and extends to a point 50 feet easterly therefrom, be extended such that the regulation commences at Sherman Avenue South and extends to a point 127 feet easterly therefrom.
- (m) That a "No Parking" regulation be implemented on the west side of Lottridge Street commencing at a point 110 feet north of Clinton Street and extending to a point 105 feet northerly therefrom.
- (n) That "Permit Parking" signs not be erected on the west side of Railway Street between Cannon Street West and the northerly end.

- (o) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on the south side of Napier Street between Pearl Street and Wellesley Street, be shortened such that the regulation commences at Wellesley Street and extends to a point 36 feet easterly therefrom.
- (p) That the existing "Permit Parking" regulation on the south side of Burton Street which commences 91 feet east of Emerald Street North and extends to a point 22 feet easterly therefrom be removed.
- (q)
 - i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on:
 - the north side of Holmes Avenue, commencing 107 feet west of Emerson Street and extending to a point 47 feet westerly therefrom; and
 - the south side of Holmes Avenue, commencing at a point 69 feet west of Emerson Street and extending to a point 20 feet westerly therefrom; and
 - the south side of Holmes Avenue, commencing at a point 115 feet west of Emerson Street and extending to a point 29 feet westerly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mrs. Mitchell, No. 10 Holmes Avenue and one parking permit to Mr. Sparks, No. 14 Holmes Avenue.
- (r)
 - i. That, in conjunction with the existing "Alternate Side Parking" regulation, a "Permit Parking" regulation be implemented on the north side of Campbell Avenue commencing at a point 42 feet east of Agnes Street and extending to a point 20 feet easterly therefrom, and on the south side of Campbell Avenue commencing at a point 10 feet east of the east curb line of Agnes Street and extending to a point 24 feet easterly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Marcia Stanton, 185 Campbell Avenue.

- (s)
 - i. That a "Permit Parking" regulation be implemented on the north side of Shaw Street commencing at a point 282 feet west of Emerald Street North and extending to a point 20 feet westerly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. James A. Decker, 35 Shaw Street.
- (t)
 - i. That a "Permit Parking" regulation be implemented on the east side of Gibson Avenue commencing at a point 332 feet south of Barton Street East and extending to a point 22 feet southerly therefrom; and
 - ii. That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. N. De Vincentis, 158 Gibson Avenue.
- (u) That the existing "Permit Parking" regulation on the south side of Somerset Avenue commencing at a point 247 feet west of Barnesdale Avenue North and extending to a point 20 feet westerly therefrom, be relocated such that the regulation commences at a point 56 feet west of Barnesdale Avenue North and extends to a point 20 feet westerly therefrom.
- (v) That the existing yield sign be replaced such that southbound traffic on Devonport Street be required to stop for eastbound and westbound traffic on Tom Street.
- (w) That eastbound traffic on Morgan Road be required to stop for northbound and southbound traffic on Caroga Court.
- (x) That three-way stop control be implemented at the intersection of Republic Drive and Brigade Drive.
- (y) That three-way stop control be implemented at the intersection of Dundonald Avenue and Kimberley Avenue.
- (z) That four-way stop control be implemented at the intersection of Shadyside Avenue and Halam Avenue.
- (aa)
 - i. That northbound motorists in the east curb lane of Mount Albion Road be required to turn right at King Street East; and
 - ii. That northbound motorists in the second and third lanes from the east curb of Mount Albion Road be required to turn left at King Street East.

- (bb)
 - i. That the existing "No Parking" regulation on the west side of Parkview Drive between Norwood Road and Franklin Avenue be replaced by a "No Stopping" regulation; and
 - ii. That the existing "No Parking" regulation on the south side of Norwood Drive commencing at the southerly leg of Parkview Drive and extending to a point 121 feet easterly therefrom be replaced by a "No Stopping" regulation; and
 - iii. That the existing "No Parking" regulation on the north side of Norwood Road between Parkview Drive and Uplands Avenue be replaced by a "No Stopping" regulation.
- (cc)
 - i. That the Director of Traffic Services be authorized to issue parking permits to the residents at Nos. 22, 24, 26, 28, 30, 32, 34 and 36 Riverdale Drive; and
 - ii. That a permit parking regulation be implemented on the east side of Riverdale Drive in front of Nos. 22 to 36 Riverdale Drive.
- 14. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first nine applicants residing in the apartment building at No. 46 Bold Street.
- 15.
 - (a) That the existing residential boulevard parking agreement registered as Instrument No. 359677 C.D. to the property at No. 212 MacNab Street North be discharged, at the property owner's expense; and
 - (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
- 16. That the School Crossing Guard at the intersection of Maplewood Avenue and Norway Avenue be relocated to the intersection of Maplewood Avenue and Springer Avenue on a trial basis to be reviewed in January, 1992.
- 17.
 - (a) That the Chairman or his designate be authorized to attend the 1991 Fall Meeting of the Air & Waste Management Association to take place on September 22 to 24, 1991 at Hockley Valley, Ontario;
 - (b) That costs for attendance be allocated to Alderman Travel Account No. CH55201 10010 from the 1991 Operating Budget.

18. (a) That Rogers Cable be permitted to erect an overhead cable TV wire across Kenora Avenue at 150/154 Kenora Avenue; and
- (b) That Rogers Cable be responsible for any costs associated with this erection.
19. That leave be granted to introduce the following Bills:
- (a) **Bill A-58** By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the East Side of Centennial Parkway between Hamilton and/Stoney Creek Limits and Vineyard Road.
- (b) **Bill A-59** By-law to Authorize the Construction of Local Improvements of Concrete Sidewalks on the South Side of Limeridge Road between Upper Sherman and Hydro Right-of-Way.
- (c) **Bill A-60** By-law to Incorporate City Lands into Queen Victoria Drive.
- (d) **Bill A-61** By-law to Incorporate City Lands into Glen Forest Drive.
- (e) **Bill A-62** By-law to Amend By-law 89-72 to Regulate Traffic.
- (f) **Bill A-63** By-law to Amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary
September 16, 1991

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That approval be given to Clancy's Five Baseball Team to sell beer on the occasion of their baseball tournament to be held at Globe Park on Friday, 1991 September 27 until Sunday, 1991 September 29, subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
 - (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.
2. That a purchase order be issued to Shersdale Inc. o/a Electrical Maintenance Services, Hamilton, in the amount of \$84,900.00, including all taxes, being the lowest of three tenders received, to supply and install track lighting at Mohawk Sports Park, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Track Lighting, Mohawk Sports Park Account No. CH56398 62910.

3. (a) That the following land leased for farming purposes to Malcolm Bethune be approved:
 - i. 33.94 acres, more or less, on the Turner Farm situated on Regional Road East at an annual rental of \$848.50 (\$25.00 per acre) including estimated realty taxes of \$1,031.30, and credited to Account No. CH44104 31106 (Rental Civic Properties - Civic Properties Rented).
 - ii. 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1,489.75 (\$25.00 per acre) including estimated realty taxes of \$1,760.01, and credited to Account No. CH44118 63001 (Rental Cemeteries).
- (b) That the lease commence on 1991 May 1 for a period of two (2) years and terminate on 1993 April 30.
- (c) That the City Solicitor be authorized to prepare the necessary leases.
4. That the newly developed neighbourhood park within the T. B. McQuesten Multi-Cultural Gardens be officially named Rushdale Park.
5. That the "Sachem" printing press, previously approved for deaccessioning, be advertised to Ontario museums through the Trillium Network or to other appropriate institutions.
6. (a) That approval be given to enter into a contract with Chamberlain Architect Services Limited of Burlington, Ontario as the Prime Consultant for the Huntington Park Recreation Centre/Renovations and Addition. The contract amount will be \$237,500.00 - two hundred and thirty-seven thousand, five hundred dollars.
- (b) That a contract satisfactory to the City Solicitor be entered into between the City and the prime consultant, Chamberlain Architect.
- (c) That the Mayor and City Clerk execute the contract on behalf of the City.

7. (a) That the Director of Culture and Recreation be authorized to proceed with the second direct snack bar (food and beverage) operation at the Mountain Arena.
- (b) That, within the terms of the Business Plan for Concession Services, the Director of Culture and Recreation be authorized to:
- i. Acquire the necessary start-up equipment and supplies from within the current Department budget allocations, complying with purchasing and financing policies, to an amount not to exceed \$12,000.00.
 - ii. Purchase ongoing food, beverage and confectionaries from revenues generated from sales.
 - iii. Co-ordinate any building modifications with the Property Department.
 - iv. Provide part-time/seasonal staffing of the snack bar consistent with staffing policies at Lawfield Arena with costs not to exceed \$350.00 per week until the end of this year.
8. That the Director of Culture and Recreation be authorized to restructure the Programming Section of the Recreation Division to provide for dedicated program co-ordination, within the existing program staffing, to the following areas:
- Fitness and Aerobic Classes
 - Community Special Needs Programs
 - Community Development Programs
 - Department Communications and Information Services
 - Arts Programming in Community and Recreation Centres
 - The 1992 Ontario Senior Games

These positions do not require reclassification and are within the current staff compliment.

9. That Mr. Irving Zucker be nominated by City Council for a Department of Communications' "Lescarbot Award" as a respected and significant benefactor to the Arts.

Respectfully Submitted,

K. Christenson
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1991 September 17

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1991 and respectfully recommends:

1. That a Hamilton Rehabilitation Programme (H.A.R.P.) application be approved for 13 Albemarle Street, Diana & Gerald Crewe. The actual amount of grant or loan to be determined by inspection of the property under Property Standards By-law 74-74, and pursuant to By-law 78-133 for the Hamilton Rehabilitation Programme (H.A.R.P.).
2. That the Building Commissioner be authorized to issue a demolition permit for the following properties:
 - (a) 403 Sherman Avenue North
 - (b) 1258 Upper Wentworth Street
3. That an increase of one thousand, and sixty-four dollars (\$1,064.) under the Community Heritage Trust Fund for a revised loan amount of nine thousand, one hundred and forty-four dollars (\$9,144.) be approved for Mr. H. Ollesch, 172-176 Locke Street South, Hamilton. The interest rate will be six percent, amortized over ten years.
4. That an increase of one hundred and fifty dollars (\$150.) for a Designated Property Grant for a revised grant amount of one thousand, nine hundred and fifty dollars (\$1,950.) be approved for Mrs. Roshan Dharsee, 27 Bold Street, Hamilton.
5. That a purchase order be issued to The Landmark Group Ltd., Mississauga, in the amount of \$57,284.99 plus applicable taxes, to supply, deliver and install Office Furniture in the Building Department, being the lowest acceptable of four quotations received, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed through Renovate Building Department, Administration and PX Divisions, Furniture and Fixtures Account No. CF509141017 5330.

6. That a purchase order be issued to 877138 Otario Inc. o/a Bud's Contracting, Stoney Creek, in the amount of \$147,987.69 including all taxes being the lowest of five (5) quotations received for landscape improvements, Central/Beasley P.R.I.D.E., in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Central/Beasley P.R.I.D.E., Account No. CF5200 429002003.
7. That the City of Hamilton accept the sum of \$18,500. as cash payment in lieu of the 5% land dedication in connection with "South Hill - Phase 2", Hamilton, being the cash requirement under Section 50 of the Planning Act. The lands of South Hill - Phase 2 are located south of Rymal Road West and west of Upper James Street in the Kennedy East Neighbourhood.
- 8.(a) That approval be given to the "Intent to Designate" Princess Elizabeth School as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto as Appendix "A";
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
9. That the 5% Parkland Credit for Block 69 of Plan 62M-577, be transferred to the lands on Upper Wentworth Street and Balharbour Drive, to be owned by Wellington Chase Inc.
10. That the Mayor and the City Clerk be authorized to execute the necessary documents to release Altofort Development Inc., Hamilton from the construction covenants to the City as contained in Deed Instrument Numbers 199581 L.T. and 199582 L.T., Lot 7 and the north half of Lot 6, Plan M-227, Part 1, 62R-8630, Lancing Drive registered on 1987 May 4.

- 11.(a) That an Agreement by Owner to Accept Compensation for the property of Mr. Joseph Kusz, executed on 1991 September 10 and scheduled for closing on or before 1991 November 30, be accepted and completed. The subject property being Municipal Number 211 Brant Street, having a total frontage along the northern limit of Brant Street 21.505 metres (70.55 feet) more or less, shown as Part 2 on Expropriation Plan No. 79835, together with all structures erected thereon. That the total compensation of \$78,000. along with all associated costs be charged to Account Number CF 55903 08750001 (Land Acquisition - Enclave Clearance Program) and that demolition of the structure at 211 Brant Street take place upon closing.
- (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
- 12.(a) That City Council endorse the Association of Municipalities of Ontario's position papers on the Provincial Government's Ministry of Housing Green Papers entitled, "A Housing Framework for Ontario", and "Government Land for Housing"; and,
- (b) That the City of Hamilton request the Province of Ontario to conduct another round of consultations on their "preferred approach" before passing Provincial legislation.
13. That approval be given to Zoning Application 91-31, Antonio and Sestina Aceti, owners, for a change in zoning from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit the creation of two additional single-family residential lots, for the property known as 193 Stone Church Road West, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "B" (Suburban Agricultural and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

14. That approval be given to Zoning Application 91-38, Fred and Theresa Dalpetz, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at 297 Stone Church Road West, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-Law No. 6593 and Zoning District Map W-17C for presentation to City Council;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
15. That approval be given to Zoning Application 91-34, Hamilton Horseshoe Pitching Club, Inc., Lessee, requesting a modification to the "KK" (Restricted Heavy Industrial) District, to permit a private club (horseshoe pitching), a restaurant and a public hall (billiard room with one table) within the existing building, for the property located at 170 Brockley Drive, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the "KK" (Restricted Heavy Industrial) District regulations, as contained in Section 17A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 17A(1), the following commercial uses shall be permitted within the existing building only:
 - (1.) a private horseshoe pitching club, including a billiard room and a restaurant as accessory uses;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1244, and that the subject lands on Zoning District Map E-123 be notated S-1244;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123 for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning area.

- 16.(a) That approval be given to Zoning Application 91-28, John F. Petis, owner, for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District, for property located at 180-188 Wilson Street, as shown on the attached map marked as Appendix "E", on the following basis:
- (i) That the subject lands be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "E-3" (High Density Multiple Dwellings) District;
 - (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received Site Plan approval, for the subject lands.
- 17.(A) That approval be given to Official Plan Amendment No.103 for the establishment of a Special Policy Area, to permit the parking use within the "Residential" designation, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (B) That approval be given to Zoning Application 89-113, 546544 Ontario Inc. (Juraj Sulug - President and Secretary Treasurer), owner, for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District for Block "1", from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District for Block "2", and from "C" (Urban Protected Residential, etc.) District, modified, to "G-3" (Public Parking Lots) District for Block "3", to allow the use of the subject lands for parking purposes, in conjunction with an adjacent existing commercial use at 921 Queenston Road, for property located on the south side of Strawberry Drive, east of Lake Avenue North, (rear of 921 Queenston Road East), shown as Blocks "1", "2" and "3" on the attached map marked as Appendix "F", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District;
 - (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District;

- (c) That Block "3" be rezoned from "C" (Urban Protected Residential, etc.) District modified, to "G-3" (Public Parking Lots) District;
- (d) That the "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-Law No. 6593, applicable to Blocks "1", "2" and "3", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 13C, only a parking lot used in conjunction with the commercial use located on adjoining lands at 921 Queenston Road in the City of Stoney Creek shall be permitted;
 - (ii) That a visual barrier not less than 2.0 m in height, excluding vehicular access, shall be provided and maintained along the northerly, westerly and easterly property lines;
 - (iii) That a planting strip of not less than 1.5 m in width, excluding vehicular access, shall be provided and maintained along the northerly and westerly property lines;
 - (iv) That a planting strip of not less than 3.0 m in width, shall be provided and maintained along the easterly property line;
 - (v) That no vehicular access to or egress from Strawberry Drive shall be permitted.
- (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1245, and that the subject lands on Zoning District Map E-125 be notated S-1245;
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-125 for presentation to City Council; and,
- (g) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No.103 by the Region of Hamilton-Wentworth.
- (C) That the amending By-law not be forwarded for passage by City Council until such time as the applicant applies for and receives Site Plan approval, including the payment of all outstanding servicing costs to the City and Region adjacent to the 0.3 m reserve on Strawberry Drive.

18. That amended Zoning Application 91-08, 668550 Ontario Limited (A. Tuite and L. Centurami), owners, requesting an amendment to the Official Plan to redesignate the lands from "Residential" to "Commercial", and to rezone the lands from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District, modified to permit the development of the subject lands for a 40 seat, fast food restaurant with a drive through facility, for property located at 75 Rymal Road East, as shown on the attached map marked as Appendix "G", be denied for the following reasons:
- (a) It represents an undesirable extension of a 'highway commercial' use into an area designated and used for single-family residential uses;
 - (b) There is an adequate supply of commercially zoned and designated land to accommodate the proposed use in the area of Upper James Street and Rymal Road;
 - (c) It does not comply with the intent of the approved Ryckman's Neighbourhood Plan which designates the subject lands for "Single and Double Residential" use;
 - (d) The requested "G-3" (Public Parking Lots) District modified zoning is inappropriate for the proposed development, in that the only building permitted is one used for the shelter of attendants. In this regard, the proposed amendment to the "G-3" District to permit a 'fast food' restaurant on the site has the same effect as rezoning the lands to a commercial district such as the "HH" (Restricted Community Shopping and Commercial, etc.) District. Furthermore, the "G-3" District modified is a misnomer, in that the lands will not be developed for a 'parking lot';
 - (e) In 1990, the applicant was granted an extension of the commercial zoning for the lands to the west to 'square off' the site to allow for commercial development. At that time, the applicant amended the Zoning Application to delete the subject lands for commercial development; and,
 - (f) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Neighbourhood Plan and alter the character of the area.

19. That approval be given to Zoning Application 91-37, David John Armstrong, owner, requesting a further modification to the "HH" (Restricted Community Shopping and Commercial) District regulations, to permit a gas bar, variety store, bank, professional offices (excluding medical), dry cleaner outlet, video store and drug store, for lands at the south-west corner of Upper Sherman Avenue and Limeridge Road East, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That By-law No. 88-205 and By-law No. 90-273 be repealed in their entirety.
 - (b) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community and Commercial) District;
 - (c) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14A(1), only the following commercial uses shall be permitted:
 - (1.) a bank;
 - (2.) professional offices (excluding medical);
 - (3.) a dry cleaner outlet;
 - (4.) a video store;
 - (5.) a drug store;
 - (6.) a variety store; and,
 - (7.) a gas bar.
 - (ii) That a landscaped strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly and southerly lot lines.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1246, and that the subject lands on Zoning District Maps E-27A and E-27B be notated S-1246;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-27A and E-27B for presentation to City Council;
 - (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

20. That Section 14 of the Twenty-First Report for 1990 of the Planning and Development Committee, respecting Zoning Application 90-67, be amended to remove the condition which required the by-law to be held in abeyance until approval of a site plan, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "I", on the following basis:
- (a) That Section 14(b)(ii)(1.) (b) be amended to permit a maximum of 41 townhouse dwelling units;
 - (b) That a new Section 14(b)(ii)(1.) (d) be added as follows, and the subsequent Section be renumbered accordingly:

"That notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, one dwelling unit shall be permitted in the same building as the residential care facility."
 - (c) That Section 14(c) be deleted and the following substituted therefore:

"That the approval of a noise study shall be included as part of Site Plan approval."
21. That approval be given to register plans of Site Plan Control Application DA-91-52 by Oshawa Holdings Ltd., owners of 590 Nash Road North, to amend the plans of Site Plan Control Application DA-87-86, registered on title on 1988 July 20, as Instrument No. 466524CD.
22. That leave be granted to introduce the following Bills:
- (a) Bill C-63 A By-law to amend Zoning By-law No. 6593 respecting lands located in the area north of Rymal Road East and west of Upper Gage Avenue.
 - (b) Bill C-64 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1175 Stone Church Road East.
 - (c) Bill C-65 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 135 Nebo Road.

- (d) Bill C-66 A By-law to adopt Official Plan Amendment No. 100 respecting lands bounded by Rymal Road East to the north, the City Limits to the south, Upper James Street to the west and the Mount Hamilton Cemetery to the east within the Allison Neighbourhood.
- (e) Bill C-67 A By-law to adopt Official Plan Amendment No. 101 respecting land located at Municipal No. 674 Upper James Street within the Bonnington Neighbourhood.
- (f) Bill C-68 A By-law to adopt Official Plan Amendment No. 102 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street within the Durand Neighbourhood.
- (g) Bill C-69 A By-law to amend Building Code By-law No. 85-86 to authorize Building Permits and Fees.
- (h) Bill C-70 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 82 Christie Street.
- (i) Bill C-71 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 987 Upper Paradise Road.
- (j) Bill C-72 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1425 and 1429 Upper James Street.
- (k) Bill C-73 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 87-29 respecting lands located at Municipal Nos. 122-126 MacNab Street South and 109, 111 and 123 Charles Street.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts
Secretary
1991 September 18

REASONS FOR DESIGNATION

Former Princess Elizabeth School, 235 Bowman StreetContext

The former Princess Elizabeth School at 235 Bowman Street is located on the eastern edge of the residential area of West Hamilton, near the foot of the escarpment. Set well back from the street on its original 3-acre piece of property, this distinctive early 20th century school building is surrounded by open space attractively landscaped with grass, shrubbery and mature trees. The school and its setting are enhanced by a panoramic view of the escarpment to the south and south-east.

Architectural Significance

The original West Hamilton School, designed by the local architectural firm of Warren & McDonnell and erected in 1922, was a one-storey steel and reinforced concrete structure clad in rug brick and Indiana limestone with four classrooms built around a central auditorium. In anticipation of future increases in pupil enrolment, the original building was designed to be enlarged first by a second storey providing five additional classrooms (built in 1930) and later by a rear addition, which was never built. Considered to be specialists in school architecture, F.W. Warren and the partnership of Warren & McDonnell designed a number of schools in the Hamilton area and throughout the province. Two known extant buildings which stand out for their size and architectural distinction are the W.H. Ballard School in Hamilton's east end, reputedly "the largest public school in Canada" when it opened in 1923, and the Elizabeth Zeigler School in Waterloo, opened in 1931.

Ranking among Hamilton's finest early 20th century school buildings, Princess Elizabeth is one of several outstanding examples of the Collegiate Gothic style: also worthy of mention are Memorial School (1919), Delta Collegiate (1924), Cathedral Boys' High School (1928), Westdale Secondary School (1930), and McMaster University's five original stone buildings (1931).

Characteristic Collegiate Gothic features of Princess Elizabeth include the emphasis on horizontal lines (accentuated by its low profile and stone banding) and the prominent central entrance with carved stone Gothic detailing. The original cut stone entrance features a Tudor-arched doorway, double arched wood doors, and a rib moulding over the doorway sprung from two carved figure heads. The turreted frontispiece of the second storey addition designed by F.W. Warren is crowned by a crest displaying the symbol of learning: an open book.

The building appears to have been designed to appeal to children: noteworthy in this regard are its inviting scale, the fanciful quality of its architectural detail, and the natural light and views provided by the large multi-paned classroom windows reaching almost to the floor. The architectural integrity of the exterior is remarkable: except for minor alterations to the two side entrances and the replacement of the original carved stone West Hamilton School sign, the three main facades (north,

Appendix "A" as referred
to in Section 8(a) of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee

south and west), including the original front entrance doorway and the windows, have been preserved intact.

Princess Elizabeth was one of relatively few early 20th century public schools in Ontario planned with the classrooms located around a central auditorium lit from above, a feature of only two other Hamilton schools: Memorial and W.H. Ballard. Described at the time of the school's opening as "the showroom" of the building, the original auditorium was a spacious, 2-storey multi-purpose hall designed to accommodate assemblies, indoor sports and athletics, concerts and lectures, and various other school and community activities. Its impressive interior space was illuminated by a large central skylight and featured a coved ceiling with a grid of twenty amber glass panels diffusing the light from above. The auditorium space was modified in 1930 by the addition of the second storey classrooms and corridor forming an open cantilevered balcony around three sides, and was further altered in 1971 by the enclosure of this balcony by a solid partition wall with small windows and the consequent obscuring from view of the ceiling cornice at the ground floor level.

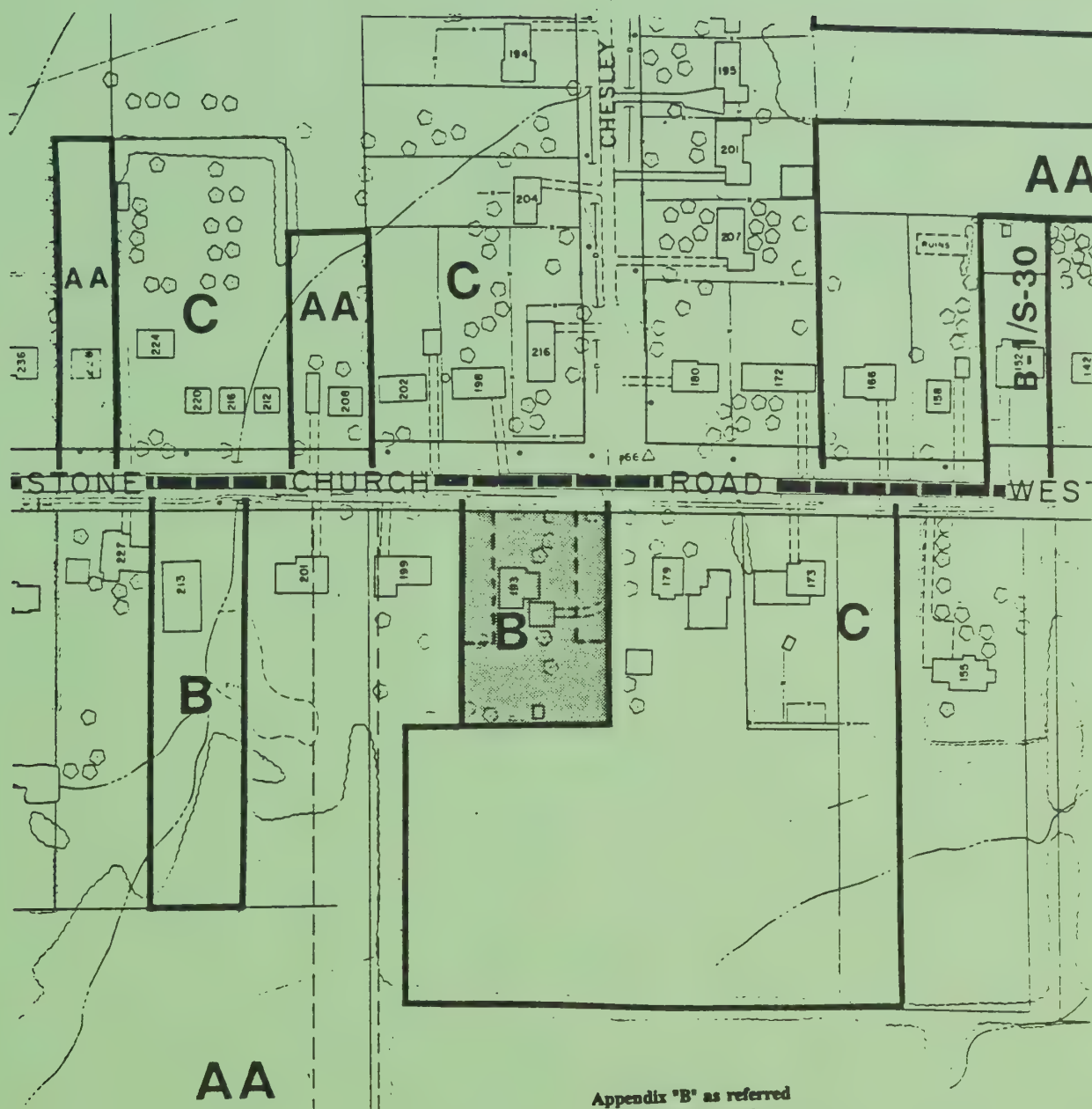
Historical Significance

Built to accommodate children from the village of West Hamilton, the original West Hamilton School was commissioned by the Wentworth County Board in response to ratepayers' demands for a new facility to relieve the overcrowding at Binkley, the only public school then serving a large area encompassing the village. Originating as a small suburban survey opened in 1908 and bounded by the Dundas Road, the escarpment, the Rifles Ranges and Bowman Street, West Hamilton had by the 1920s grown into a thriving community with numerous stores and businesses.

West Hamilton School came under the jurisdiction of the Hamilton Board of Education in 1930, when the village was annexed by the City, and was doubled in size the same year. Renamed Princess Elizabeth School in 1940, the building served as a public school until 1983, when all of its pupils were transferred to Prince Philip School on Rifle Range Road. Leased for seven years to the Wentworth Montessori School, the building was purchased in 1991 by the Hamilton Hebrew Academy for use as a seminary.

Designated Features

Important to the preservation of the former Princess Elizabeth School are the original features of the west (front), north and south facades, and on the interior: the entrance hallway, two original stairways, corridors and auditorium. Included is the decorative stonework, the original steel-sash windows and wood doors (interior and exterior), the coved ceiling and skylight of the auditorium, the glazed wall tile and original woodwork. Excluded are the rear wall and the modern fire-rated partition walls enclosing the balcony and stairwells.

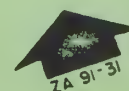


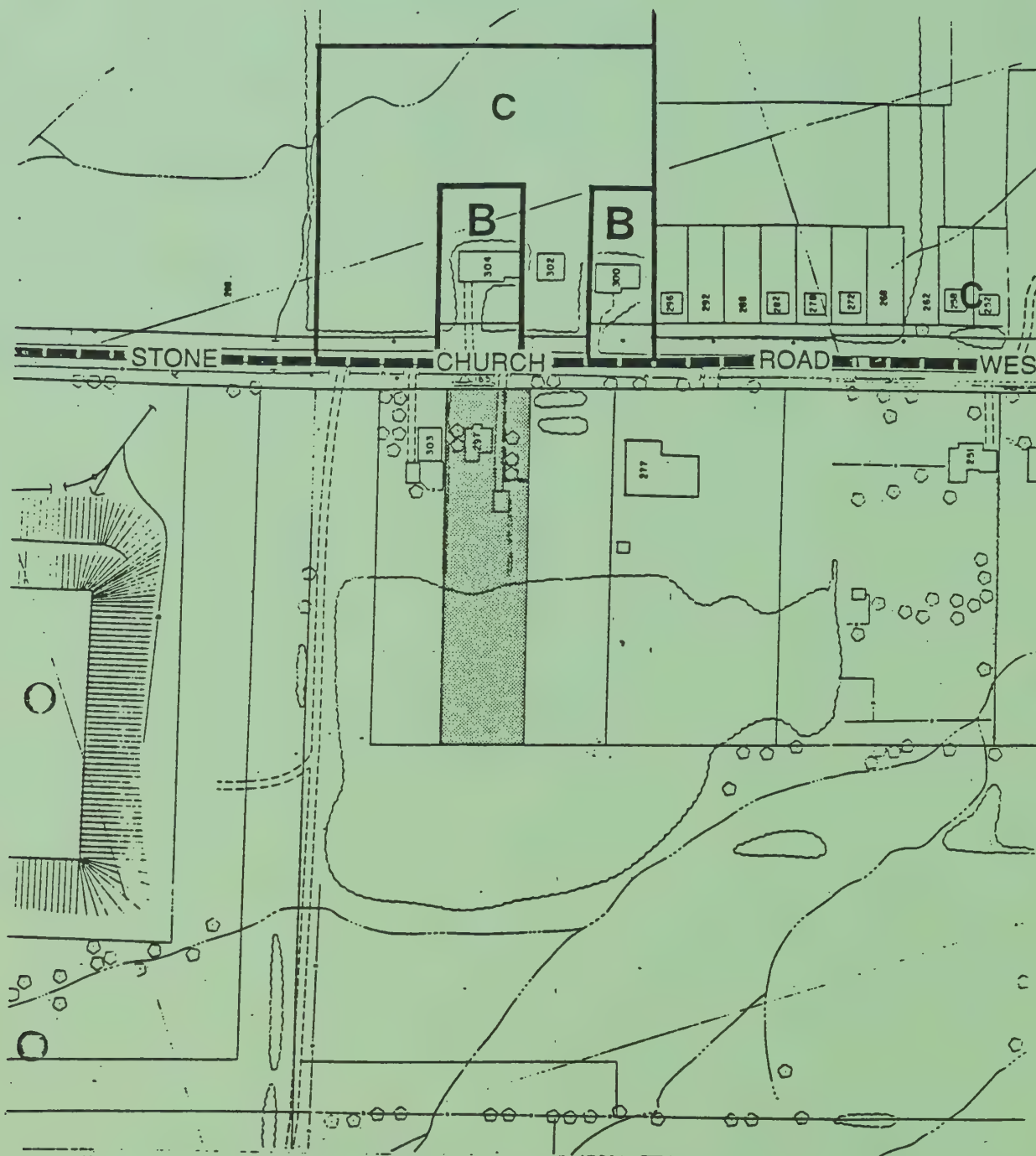
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Site of the Application

Appendix "B" as referred
to in Section 13 of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee





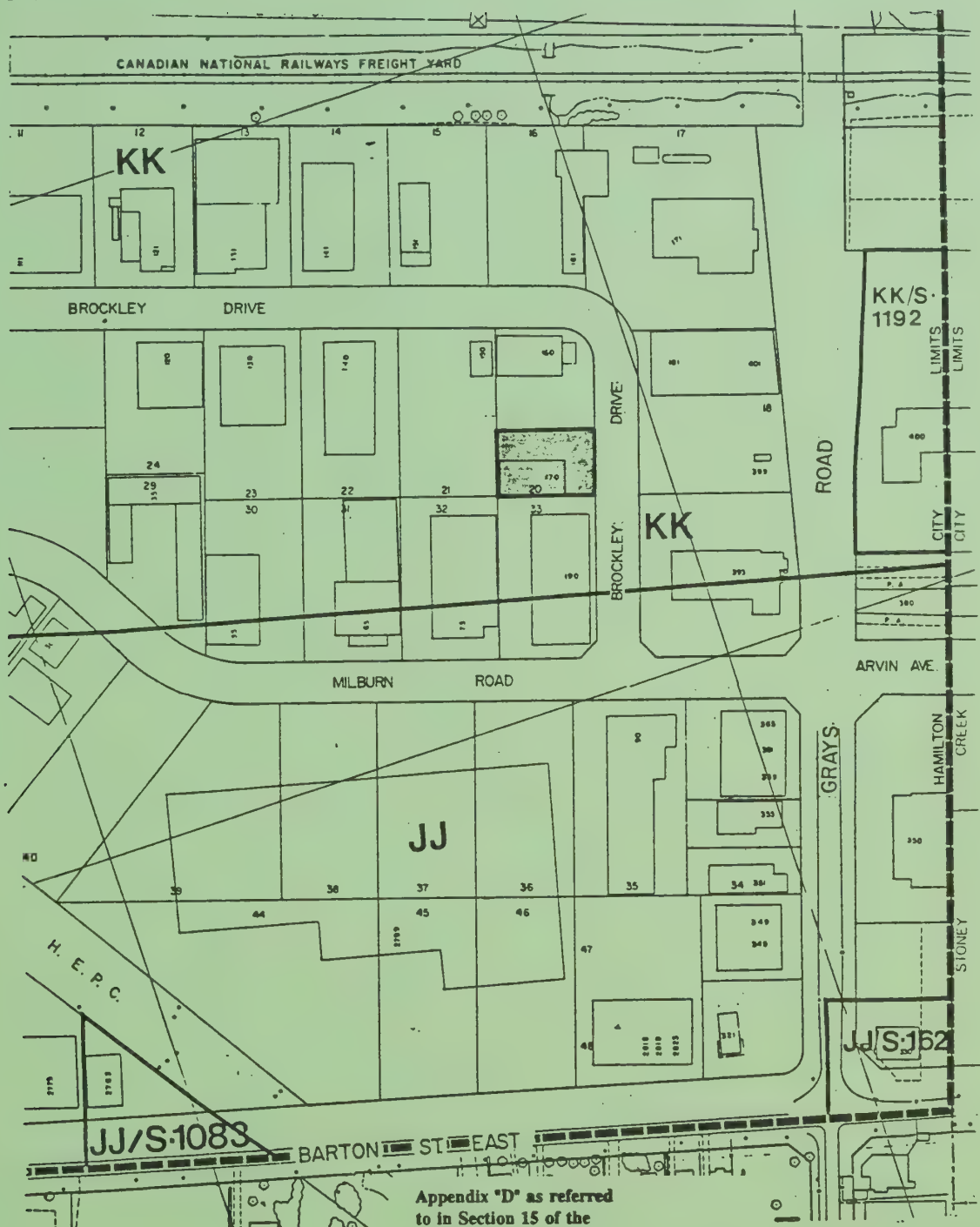
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Site of the Application

Appendix "C" as referred
to in Section 14 of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee



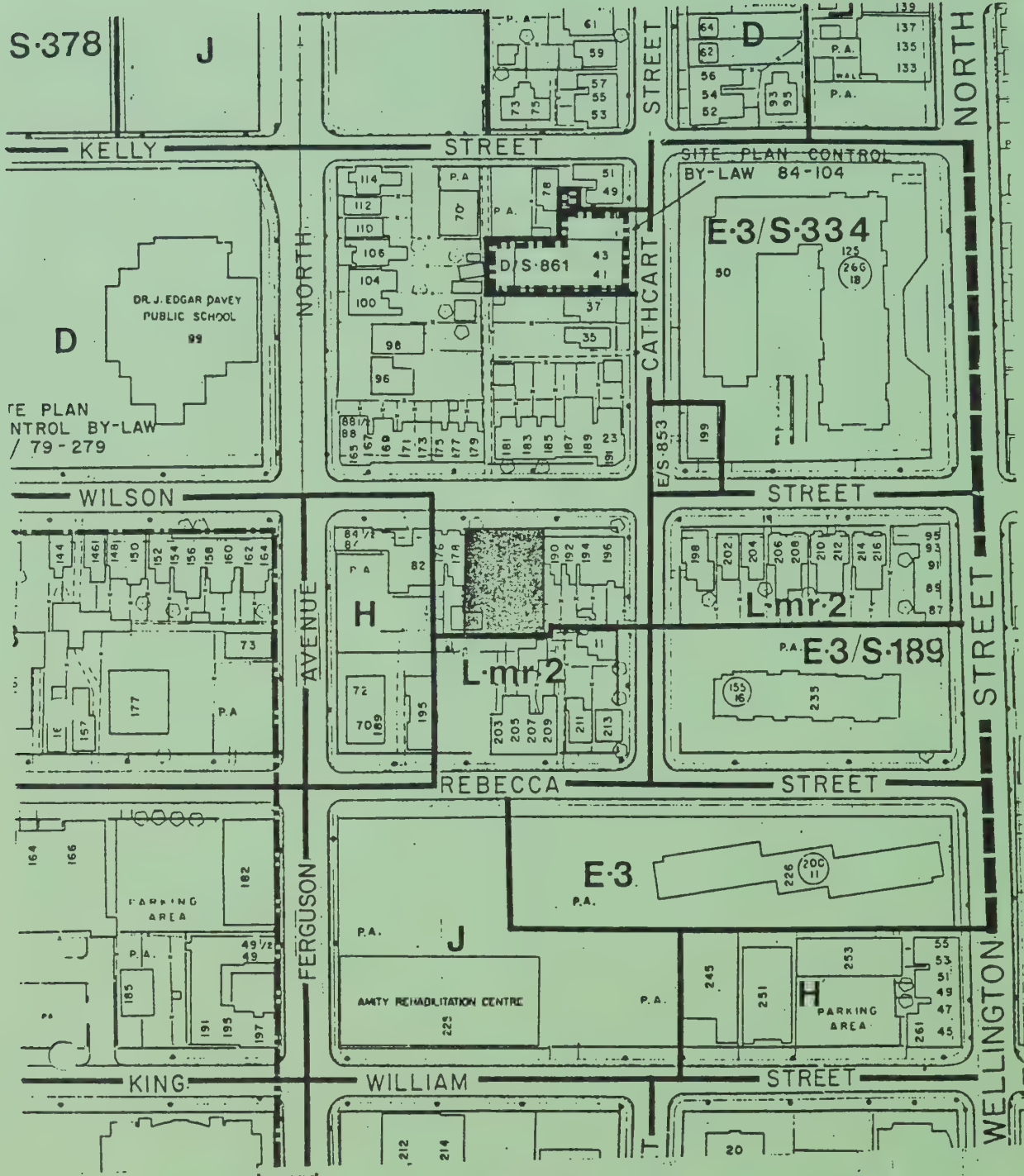


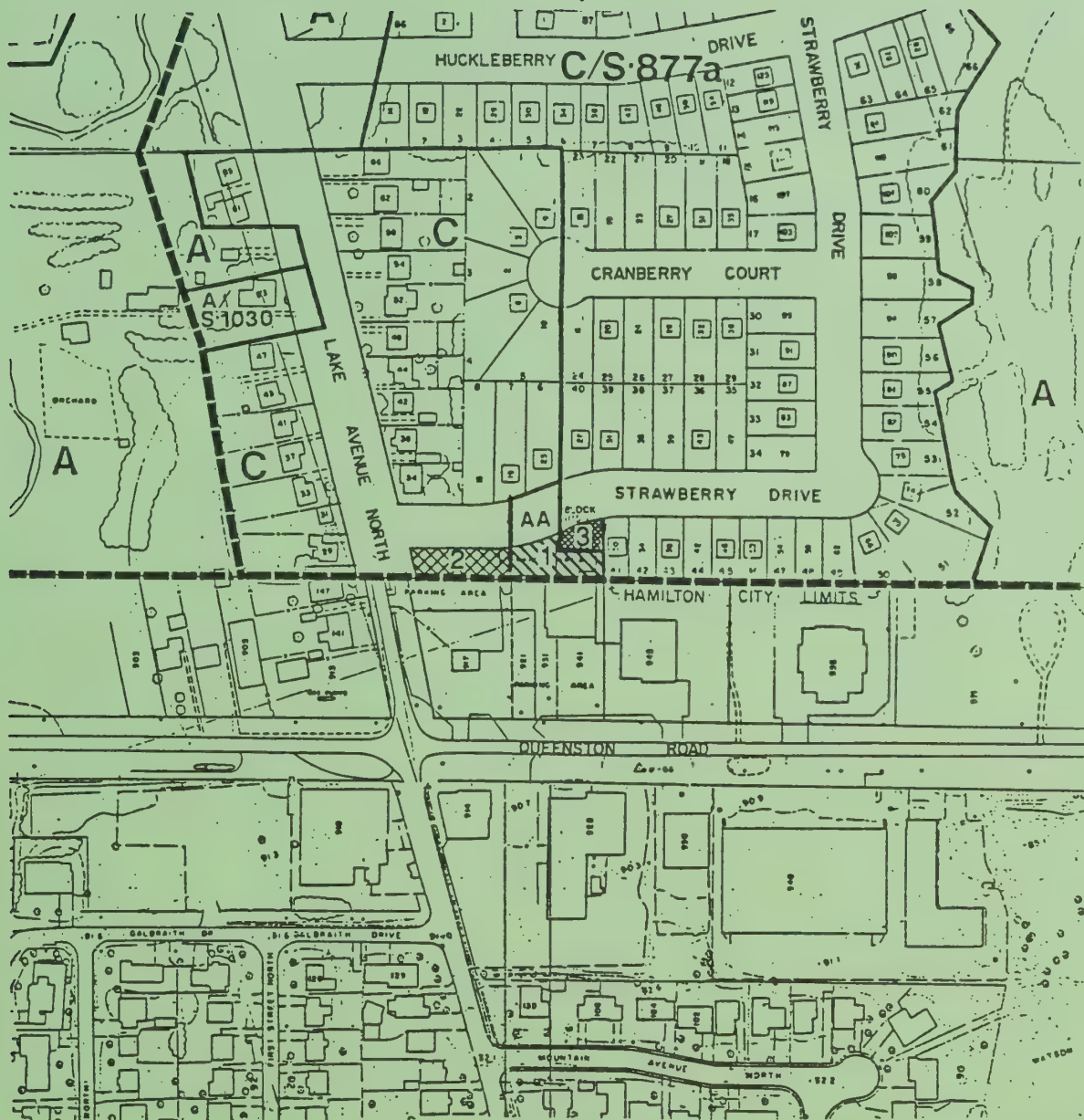
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Site Of The Application










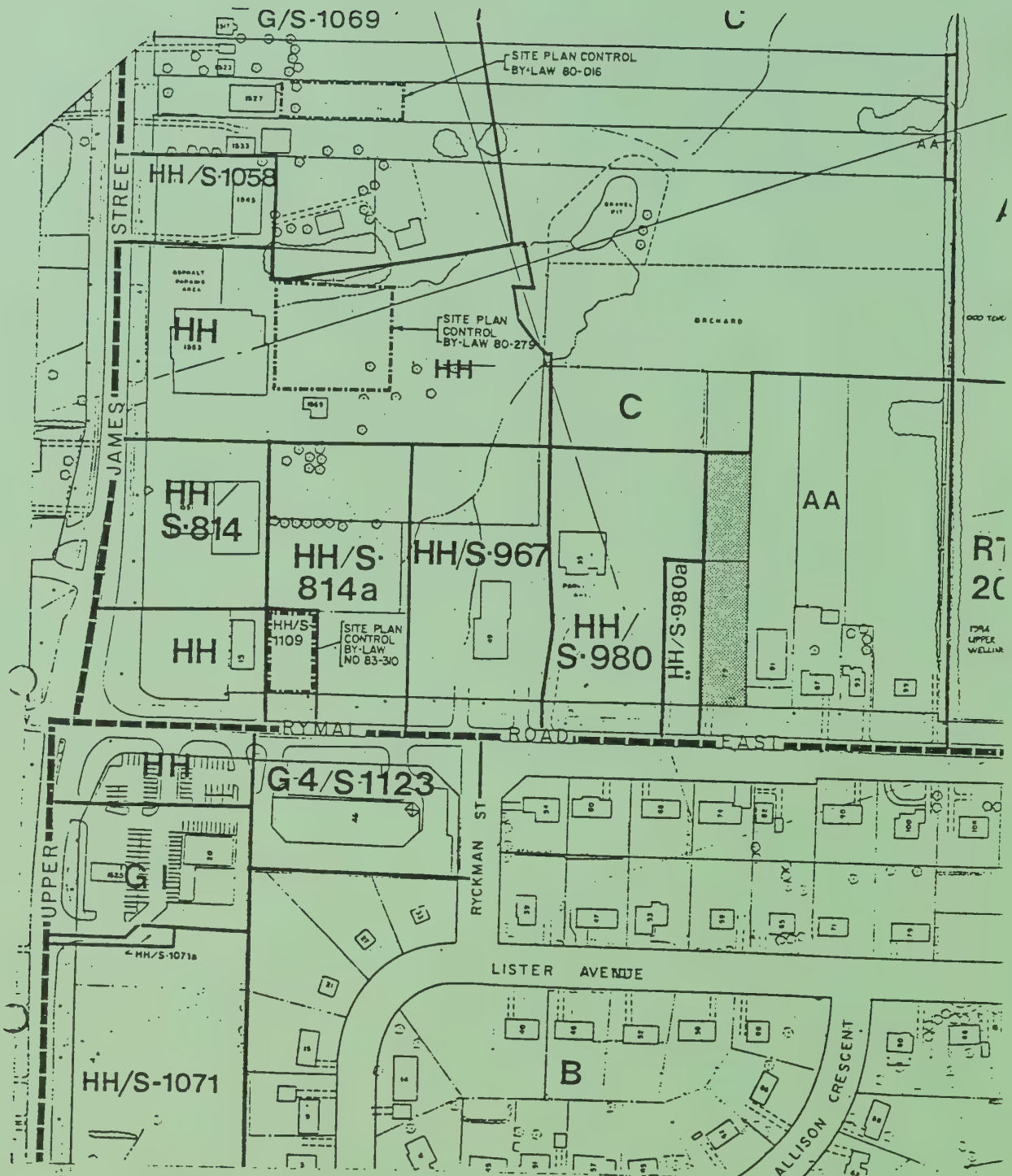
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Proposed change in zoning from :

- | | | |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District to "G-3" (Public Parking Lots) District. |
| BLOCK 2 |  | "C" (Urban Protected Residential, etc.) District to "G-3" (Public Parking Lots) District. |
| BLOCK 3 |  | "C" (Urban Protected Residential, etc.) District, modified to "G-3" (Public Parking Lots) District. |

Appendix "F" as referred
to in Section 17(B) of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee

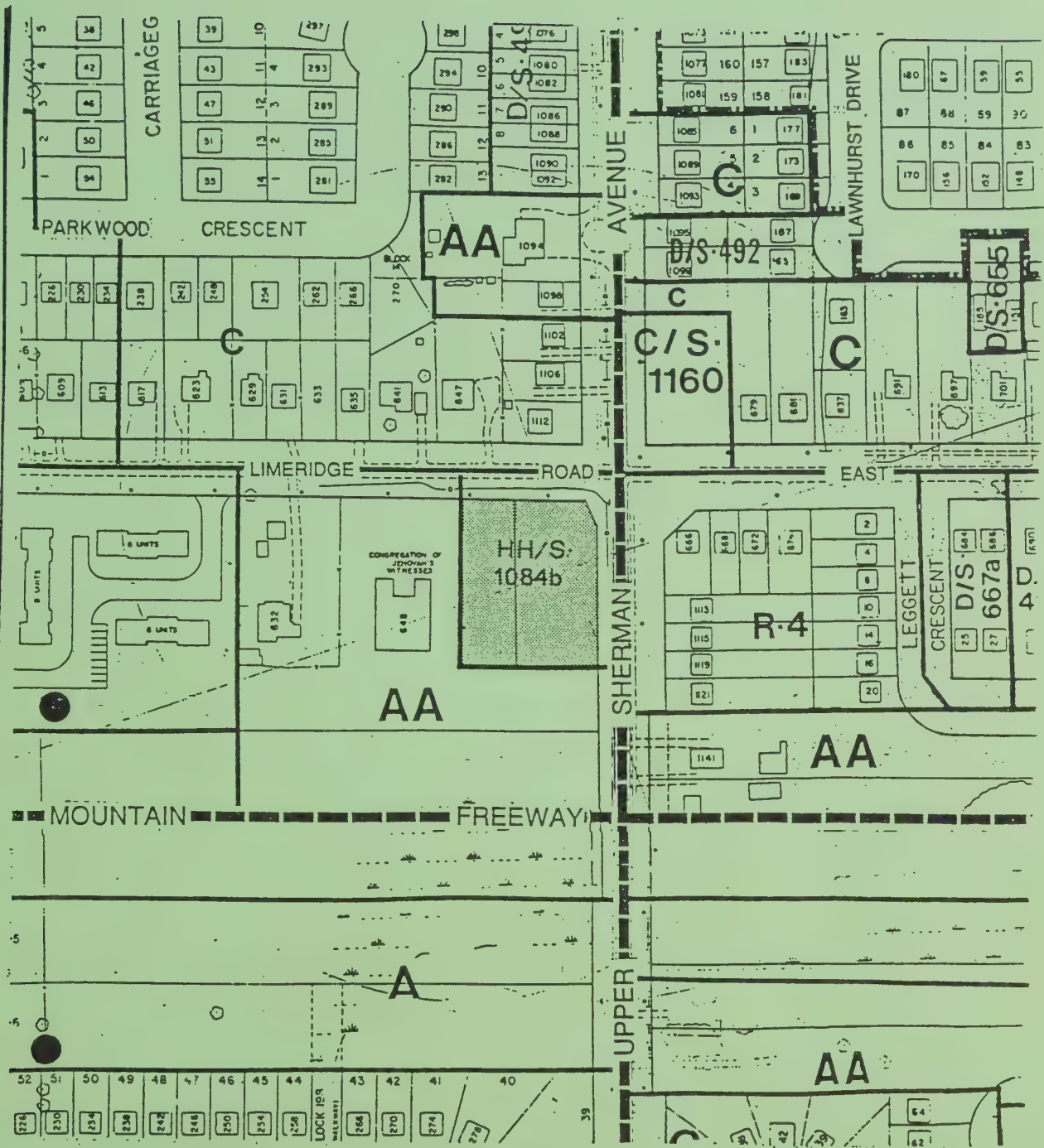




Site of the Application

Appendix "G" as referred
to in Section 18 of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee





Legend



Site of the Application

Appendix "H" as referred
to in Section 19 of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee





Legend



Site of the Application

Appendix 'I' as referred
to in Section 20 of the
THIRTEENTH Report for 1991
of the Planning and
Development Committee



REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **FIFTH** Report for 1991 and respectfully recommends:

1. (a) That four computer network concentrators be acquired from Cabletron Systems of Mississauga at \$57,324.00 (\$14,331.00 each), the lowest of 8 proposals received.
- (b) That funds be provided from Account No. CH56605 26032 (Lease -Computer Equipment).

Respectfully Submitted,

**ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE**

**K. C. Christenson
Secretary
1991 September 6**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTEENTH** Report for 1991 and respectfully recommends:

1. That Alderman D. Drury, Chairman, Taxi Advisory Committee, and a representative of the Licence Division be authorized to attend the Canadian Association of Taxicab Regulatory Administrators Conference to be held in Ottawa from 1991 September 26 to 28.
2. That Civic Gold Pins be awarded to Kimberly Shea and Derek Lohnes for winning gold medals for the Province of Ontario in the National Junior Bowling Championships.
3. That Civic Silver Pins be awarded to Kim Beveridge and Elly Kowalczyk for winning the 1991 Ontario Age Group Championship in the Duet 10 and Under Category.
4.
 - (a) That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the City Hall forecourt and related equipment to begin and end a 10 kilometre Walk-A-Thon on Sunday, 1991 October 6 from 12:30 p.m. until approximately 4:30 p.m.
 - (b) That permission be granted to the Hamilton Aids Network for Dialogue and support (HANDS) to use the City Hall forecourt and related equipment for a Campaign Kick Off on Friday, 1991 October 4 from 12:00 noon until 1:00 p.m.
5. That approval be given to the action of the City Clerk in authorizing the use of the City Hall forecourt and related equipment on Thursday, 1991 September 12 from 12:00 noon until 2:00 p.m. for a United Way Barbecue.
6. That permission be granted to the Royal Canadian Legion Hamilton Branch to distribute Remembrance Poppies in the City of Hamilton during the Annual Poppy Drive from 1991 November 1 to 11.

7. That approval be given to the action taken by the City Clerk in authorizing the use of City Hall meeting room 219 on Monday, 1991 September 16 from 7:00 p.m. to 9:30 p.m. for a meeting of the Justice for Women Coalition.
8.
 - (a) That the Finance and Administration Committee recommend to City Council that the regular meeting of City Council scheduled for 1991 November 12 be cancelled because of Municipal Election Day.
 - (b) That, in adopting (a) above, consideration also be given to cancelling the regular meetings of the Standing Committees scheduled for the previous week of November 4th.
9. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation to 1991 September 6th, attached hereto as Appendix "A", be approved.
10. That the City Treasurer be authorized to allocate \$40,850. from the 1991 Capital Levy to construct an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue under The Local Improvement Act, at an estimated cost of \$40,850. being the City's share.
11.
 - (a) That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of City Treasurer consistent with the Selection Procedure adopted by City Council on January 26, 1982.
 - (b) That Mr. J. J. Schatz, be appointed City Clerk, effective January 1, 1992 within the Salary Schedule D for a period of five (5) years and that the Commissioner of Human Resources be directed and authorized to negotiate the terms of the employment contract.
 - (c) That the Commissioner of Human Resources be directed not to fill the position of Deputy City Clerk pending further review.
 - (d) That the newly installed Finance and Administration Committee be directed to deal with the position of Chief Administrative Officer as the first order of business in the new term of Council.
12.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19598/90 by the payment to the Plaintiff, Ona Adomaskas, of \$7,002.50 inclusive of all damages, interest and costs.

- (b) That the Plaintiff, Ona Adamauskas, be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the Law Department.
 - (c) That Ontario Court (General Division) Action No. 19598/90 be dismissed without costs.
13. (a) That Mr. Jim Hindson's contract as Director of Information Services be renewed for a five-year period commencing September 28, 1991, under the terms and conditions as set out in the employment contract.
- (b) That this report be forwarded to the Regional Municipality of Hamilton-Wentworth's Finance and Personnel Committee for information.
14. That a lease contract be entered into between the City of Hamilton and the Hamilton Press Club as follows:
- (a) That a 5% increase per year or the rate of inflation, whichever is higher, be charged, to be based on the current rent being paid,
 - (b) That the lease be for a period of three years commencing March 16, 1991 and terminating on March 15, 1994 with a one year opting out clause for either party,
 - (c) That the current 5% payment of bar sales be maintained.
 - (d) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.
15. (a) That an Option to Purchase executed by the representatives of Paul Sherlock Homes Inc., In Trust, on September 12, 1991 and scheduled for closing on or before November 29, 1991, for the purchase of part of Lot 77, Registered Plan 1431, shown as Parts 2, 3, and 4 on Reference Plan 62R-808 and part of Lot 78, Registered Plan 1431, shown in heavy outline on the attached plan, be approved and completed. The said lands comprise 17,466 square feet (1,622.71 square metres), more or less, with frontage along the east side of Catharine Street South of 95.67 feet, more or less, and the north side of Hunter Street East of 76.48 feet, more or less. The purchase price of \$938,000. subject to adjustments pursuant to Schedule "B" of the Agreement

be charged to Account Number CH 5X323 00202 (Reserve for Off Street Parking).

- (b) That the final purchase price be calculated by applying a rate of \$53.70 for each square foot of land purchased as defined by the aforementioned registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price stated on the face page of this Option.
 - (d) That the Mayor, City Clerk and Commissioner of Finance be authorized to execute the necessary documents.
16. (a) That the attached Draft By-law to license and regulate the keepers of tobacco shops be circulated to the industry for comment.
- (b) That a Public Meeting of the Finance and Administration Committee be scheduled on October 10, 1991 to consider submissions from the public respecting the Draft By-law.
- (c) That a large advertisement be placed in The Spectator and Brabant Newspapers.
17. (a) That staff be authorized to dismantle the floral clock located on the City Hall forecourt and to reinstate a floral clock at T. B. McQuesten Park in concert with the development master plan for the park and the interests of Hamilton Follies Incorporated.
- (b) That staff be authorized to remove the dying fir tree from the City Hall forecourt and to consult with the Zonta Club of Hamilton regarding the location and type of a replacement tree.
- (c) That the Directors of the Property, Culture and Recreation and Public Works Departments be authorized to jointly undertake a Grounds Feasibility Study for City Hall.
18. (a) That an amendment to by-law No. 79-323 being a by-law to licence and regulate Tow Truck Owners and Drivers be enacted by City Council.
- (b) That the By-law come into force on January 1, 1992.

- (c) That the Police Services Board be advised that the City of Hamilton supports the concept of a rotational system for the towing of vehicles involved in accidents and which do not require to be secured.
19. That the Finance and Administration Committee consider requesting the Provincial Government to review their policy which requires that lottery monies or goods purchased with lottery monies must remain in the Province of Ontario.
20. That City Council be requested to ask the Regional Transportation Services Committee to consider expanding the Hamilton Street Railway Student Bus Pass Programme to enable English as a Second Language students to qualify for such passes.
21. (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing November 2, 1991 and terminating on November 1, 1996.
- (b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.
- (c) That rent be established on the following basis:
- Rent payment be adjusted and commence on the second day of November 1991 at a rental of \$6,666.66 per month or \$80,000. per year inclusive of realty taxes which are \$19,254. for 1991.
- In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.
- All amounts payable shall be deemed to be additional rent.
22. That the previously tabled 1991 General Grant to Hamilton Artists Inc. with a recommended grant amount of \$9,000. be approved and funded within the Grants Budget, specifically Account CH 5A018 20004.
23. (a) That the 1992 Grants and Convention/Reception Grant applications and policy remain unchanged at this time and be made available as outlined in the policy.

- (b) That the deadline for the 1992 General Grants be December 31, 1991 and appropriately advertised as such.
 - (c) That the Grants Review Group review the 1992 Grants process early in 1992 to determine what revisions would be required to address changes in the grant process for submission to the Finance and Administration Committee.
24. (a) That Lottery Licence By-law 78-130, as amended, be further amended to eliminate the following provisions:
- (i) Section 21 which requires each bingo lottery licensee to carry on a minimum of 24 and a maximum of 26 bingo lottery events in a calendar year.
 - (ii) Section 22 (2) where total prizes for an occasion is between \$1,500.00 and \$3,500.00, a bingo lottery licence may be issued only every two weeks.
 - (iii) Section 1 (3) which requires every occasion of a bingo lottery to be carried on only the following time periods: 8:00 a.m. - 12:00 noon; 12:00 noon - 6:00 p.m.; 6:00 p.m. - 10:00 p.m.; 10:30 p.m. - 1:00 a.m.
 - (vi) All references to limiting the number of bingo lotteries.
 - (v) All antiquated provisions which are no longer relevant to the management and conduct of bingo.
- (b) (i) That By-law 78-130 be further amended to include a provision of one-half hour between bingo events.
- (ii) That the City of Hamilton Licensing Committee give written notice to all bingo charities that a one-month written notice to the Bingo Hall be required for a change in hall location.
- (iii) That the City of Hamilton Licensing Committee give written notice to Bingo Hall Owners that one month's written notice to a bingo sponsor be given should a Hall Owner wish to cancel a bingo lottery event. Such notice must include reasons for cancellation.
- (vi) That reference be made to the Provincial Terms and Conditions in lieu of the antiquated provisions which are to be removed.

- (v) That Lottery Licence By-law 78-130 be consolidated.
- (c) That the Licence Division be asked to review Section 32, Sub. Sec. 3, of By-law 78-130 pertaining to "not less than 20% of the total receipts (for each bingo lottery) shall be paid to the charitable organization to whom the licence was issued" with a view to complying with the Provincial Law.
- (d) That the City Solicitor be directed to prepare the appropriate By-law.
- 25. (a) That the City Solicitor be directed to prepare amendments to bylaw 84-235 being a by-law to regulate adult viewing material and prohibit its sale to minors, in order to provide for sale of all adult materials in separate areas with restricted access to adults only, and
- (b) That the public be invited to make written and verbal representations to the Finance and Administration Committee.
- 26. That no professional teams receive City of Hamilton Rings as Civic Awards
- 27. That approval be given to authorise the use of the City Hall forecourt on Monday, October 7th, 1991 from 1:00 p.m. to 2:00 p.m. by the Labourer's International Union of North America Local 837.
- 28. (a) That the City of Hamilton convey its support for the Pitch-in-Week Program and encourages the Ministry of the Environment to continue funding for this program at the \$75,000. level; and
- (b) that the Honourable Bob Rae, Premier and the Honourable Ruth Grier, Minister of the Environment be notified of the City's support.
- 29. (a) That the City of Hamilton purchase two (2) tables of ten (10) people each for attendance at the dinner being held in honour of Lincoln and Yvonne Alexander on October 3, 1991
- (b) That the cost being \$1,300. be charged to Account No. 552992-4214.
- 30. (a) That the City proceed with their request for private legislation regarding smoke alarms and lighting; and
- (b) That the City proceeds with subsequent steps to implement the private legislation.

31. That a by-law respecting Smoking in Public Places be enacted by City Council.
32. That leave be granted to introduce the following bills:
- (a) **Bill H-41** A by-law to Amend By-law No. 79-323 being a by-law to Licence and Regulate Tow Truck Owners and Drivers
 - (b) **Bill H-42** A By-law to Amend By-law No. 80-258, Respecting Smoking in Public Places.
 - (c) **Bill H-43** A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1991 August 22

Attch

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Charles Gibbs	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Farthing - promoted	\$34,232.64 to \$40,881.36	15/07/91
Ms. Elizabeth Isajiw	Solicitor (H)	Law	Replacing Mr. K. Thompson - resigned	\$55,605.68 to \$65,539.24	12/08/91
Mr. Anthony Mancini	Foreman/Woman II (12-C)	Public Works	Replacing Mr. R. Wells - retired	\$34,232.64 to \$40,881.36	01/07/91
Mr. Michael McGaw	Captain (C-8)	Fire	Additional Staff - Approved 1991 budget	\$55,339.83	28/07/91
Mr. Glen Peace	Platoon Chief (C-12)	Fire	Replacing Mr. G. Smith - promoted	\$65,210.46	11/08/91
Mr. Art Zuidema	Solicitor (K)	Law	Replacing Mr. K. Thompson - resigned	\$45,154.72 to \$53,153.36	12/08/91

Prepared 06/09/91

Appendix "A" as referred to in Section 9 of the SEVENTEENTH Report of the Finance & Administration Committee for 1991.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Arie den Otter	Fleet Superintendent	Public Works	Retired	26 years, 9 months	30/08/91
Mr. Thomas Durney	Sign Painter	Traffic	Deceased	11 years, 3 month	17/08/91
Mr. Mark Franco	Supervisor of Cashiers	Treasury	Resigned	2 years, 9 months	12/08/91
Mr. Bob Murphy	Supervisor Traffic Study	Traffic	Retired	32 years, 3 months	30/08/91
Mr. John Oliver	Operator Central Utilities	Property	Resigned	1 year, 1 month	16/08/91

Prepared 06/09/91

NOTICE OF MOTION

NOTICE OF MOTION

Alderman T. Murray gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED:

"That City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

TO ALTER AND CLOSE A PORTION
OF GOLF LINKS ROAD

GOVERNMENT DOCUMENTS

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to alter and close any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Golf Links Road within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Golf Links Road at the west City limits is hereby altered and closed by the construction of a cul-de-sac.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to alter and close as public highway the said lands.
3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

**TO INCORPORATE PARTS 1&2, PLAN 62R-11902
INTO DONN AVENUE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Donn Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Donn Avenue.

Part of Lot 24, Concession 2, in the former Township of Saltfleet, designated as Parts 1 and 2 on Plan 62R-11902

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91

TO INCORPORATE PART 3 ON PLAN 62R-11696, AND PART 5
ON PLAN 62R-11902, INTO BERKINDALE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Berkindale Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Berkindale Avenue.

Firstly

Part of Lot 23, Concession 2, formerly in the Township of Saltfleet, designated as Part 3 on Plan 62R-11696, and

Secondly

Part of Lot 24, Concession 2, formerly in the Township of Saltfleet, designated as Part 5 on Plan 62R-11902

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Hanover (west leg)	Northbound	Hanover (north leg)
Vanessa	Eastbound	Magnolia
Magnolia	Northbound and Southbound	Vanessa
West 18th	Southbound	Lynbrook
Elgar	Northbound	Lynbrook
Southlea	Southbound	Lynbrook
Silvercrest	Westbound	Southlea
Silvercrest	Eastbound	Westmount
Bermuda	Eastbound	Mountbatten
Sarasota	Northbound	Miami
Sarasota	Southbound	Rolston".

2. **Schedule 11 (Yield Right of Way Signs)** is hereby amended by deleting therefrom the following items, namely:-

"West 18th	Southbound	Lynbrook
Elgar	Northbound	Lynbrook
Southlea	Southbound	Lynbrook
Silvercrest	Westbound	Southlea
Silvercrest	Eastbound	Westmount
Bermuda	Eastbound	Mountbatten
Sarasota	Northbound	Miami
Sarasota	Southbound	Rolston".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:-

a) by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Glencarry	Both	King to 175 ft. north".
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b) by deleting from **Section 8 (Two Hour Limit)** the following item, namely:-

"Glencarry	Both	From 175 ft. north of King to Lucerne".
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and by adding thereto the following items, namely:-

"Glencarry	East	Lucerne to 114 feet north of King
Glencarry	West	Lucerne to 124 feet north of King".

2. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Albany	Both	Kenilworth to Robins".
---------	------	------------------------

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Undercliffe	West	Aberdeen to 197 feet south
East 6th	West	Empress (south curb line) to 103 feet south".

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Harrison	South	commencing 202 feet east of Kenilworth	
		to a point 22 feet easterly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 69 PEARL STREET NORTH
and 210-214 NAPIER STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 69 Pearl Street North and 210-214 Napier Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,
(i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 11 R.P.D.C. 9, July 30

Schedule "A"

To

By-law No. 91-

ZION UNITED CHURCH, 69 Pearl Street North

and

210-214 Napier Street, Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lots 1, 2 and 5 according to William Davey Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 57.

Amendment No. 103

to the

City of Hamilton Official Plan

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 103.

Purpose

The purpose of this Amendment is to establish a "Special Policy Area" to allow the subject lands to be used for parking, in conjunction with an adjacent commercial use, notwithstanding the "Residential" designation.

Location

The lands affected by this Amendment are located south of Strawberry Drive and east of Lake Avenue North (rear of 921 Queenston Road East), within the Riverdale East Neighbourhood.

Basis

The proposal is to permit the subject lands to be utilized for parking only, in conjunction with an adjacent existing commercial use (located in Stoney Creek at 921 Queenston Road East). The basis for permitting the proposal is as follows:

- it implements the approved Riverdale East Neighbourhood Plan, which designates the subject lands "COMMERCIAL";
- the proposed parking area will have less of an impact on adjacent residential areas than other, more intense, commercial uses which would also comply with the "COMMERCIAL" Neighbourhood Plan designation;
- the proposal represents infill development on an irregularly shaped parcel of land, which would not be feasible for development independently;
- the commercial development, which the proposed "G-3" District will serve, is suitably located on a major arterial road, at the periphery of the neighbourhood;
- access will be prohibited to Strawberry Drive;
- the proposal is compatible with the surrounding land use pattern; and,

- the subject lands are under Site Plan Control. As such, the City can review the site design (access, landscaping, fencing, grading, etc.) during the Site Plan process.

Actual Changes

- 1) The following policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.54:

"Notwithstanding the permitted uses set out in Subsection A.2.1 - Residential Uses and Policy A.2.2.38, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 59, and located on the south side of Strawberry Drive, east of Lake Avenue North (rear of 921 Lake Avenue North), a parking facility serving an adjacent commercial use, will be permitted."

- 2) The following be added to Schedule "B" Special Policy Areas:

- Special Policy Area 59; and,
 - "Area 59 refer to Policy A.2.9.3.54", in the legend,
- as shown on the attached Schedule "B" of this Amendment.

Implementation

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 91-_____, passed on the _____ day of _____, 1991.

The Corporation of the

City of Hamilton

City Clerk

Mayor


schedule B amendment no. 103 to the official plan for the city of Hamilton

Legend


 Special Policy Area 59
Refer to Policy A.2.9.3.54.


date	drawn by	reference file no
Sept. 1991	H.V.	P6 3.2-100

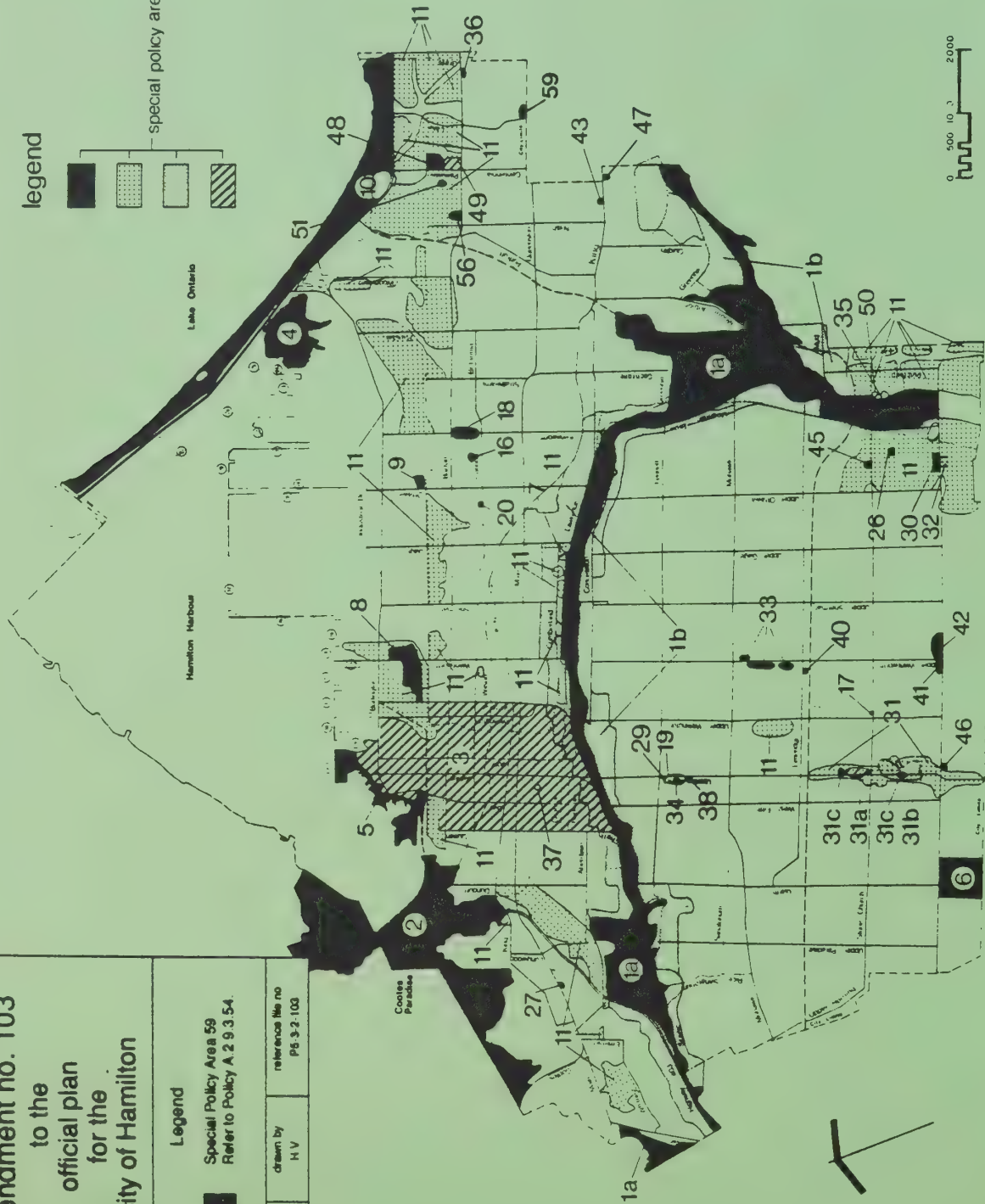
legend

 special policy areas

 special policy areas

 special policy areas

 special policy areas



special policy areas

AREA REFER TO
POLICY

1(a)	A2931
1(b)	A2931
2	A2932
3	A2933
4	A2931
5	A2932
6	A2933
7	A2934
8	A2935
9	A2936
10	A2937
11	A2938
12	A2939
13	A29310
14	A29311
15	A29312
16	A29313
17	A29314
18	A29315
19	A29316
20	A29317
21	A29318
22	A29319
23	A29320
24	A29321
25	A29322
26	A29323
27	A29324
28	A29325
29	A29326
30	A29327
31	A29328
31(b)	A29328
32	A29329
33	A29330
34	A29331
35	A29332
36	A29333
37	A29334
38	A29335
39	A29336
40	A29337
41	A29338
42	A29339
43	A29340
44	A29341
45	A29342
46	A29343
47	A29344
48	A29345
49	A29346
50	A29347
51	A29348
52	A29349
53	A29350
54	A29351
55	A29352
56	A29353

Refer to Schedule B - 1 for Special
Policy Areas in the Downtown

schedule B

to the official plan
for
the city of Hamilton

91 05 24

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE RED HILL VALLEY
BETWEEN THE T.H. & B. RAILWAY TRACKS TO THE NORTH
AND THE PROPOSED EXTENSION OF GREENHILL AVENUE TO THE SOUTH**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-248 on August 28, 1991, to amend By-law No. 6593;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 11 of the 5th Report of the Planning and Development Committee at its meeting held on the 26th day of March 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-248 be further amended to prohibit the establishment of Day Nurseries in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 7A.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 1 on Schedule "A", hereto annexed.

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 8.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 2 on Schedule "A", hereto annexed.

3. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 8A.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 3 on Schedule "A", hereto annexed.

4. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks 4 and 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 9.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Blocks 4 and 5 on Schedule "A", hereto annexed.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA", "B", "B-1" and "C" District provisions, subject to the special requirements referred to in sections 1, 2, 3 and 4.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1247.

5. Sheets No. E-76, E-77, E-78, E-86 and E-87 of the District Maps are amended by marking the lands referred to in sections 1, 2, 3 and 4 of this by-law, S-1247.

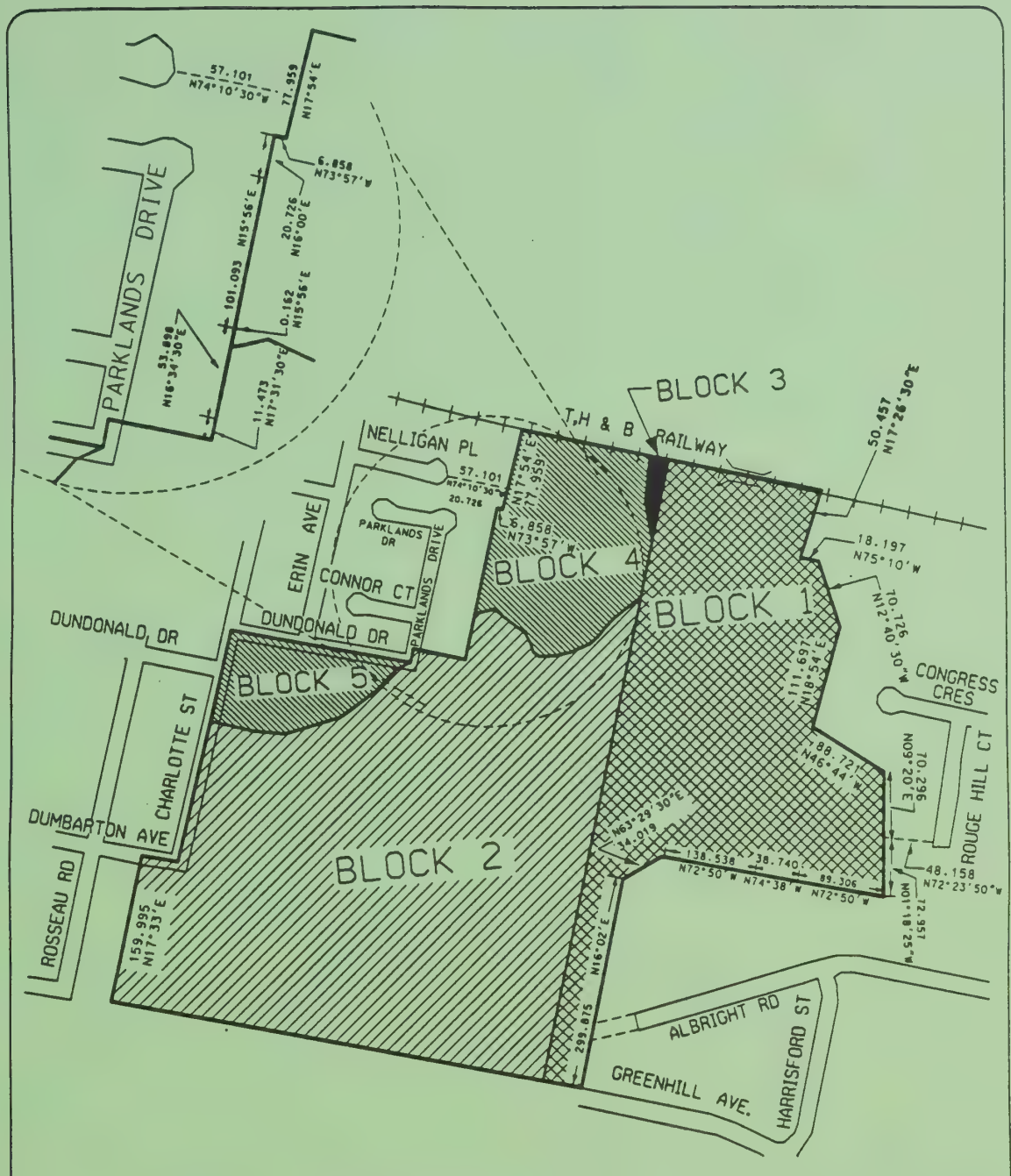
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 5 R.P.D.C. 11, March 26
City Initiative 88-K



This is Schedule "A" to By-Law No. 91-____
 Passed the ____ day of _____, 1991.

 Clerk

 Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 91-____
 to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

15

Legend
 Modification in Zoning to:



'AA' (Agricultural) District.



'B' (Suburban Agriculture and Residential, etc.) District.



'B-1' (Suburban Agriculture and Residential, etc.) District.



'C' (Urban Protected Residential, etc.) District.

North



Scale
 NOT TO SCALE

Reference File No.
 CI-88-K

Date
 OCTOBER, 1991

Drawn By
 T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Remove:

PART OF "LILLIAN HEIGHTS - PHASE 2" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL

WHEREAS subsection 7 of section 49 of the Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...;

AND WHEREAS subsection 5 of section 49 of the Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of the Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-90 on the 27th day of March 1990 to remove part of "Lillian Heights - Phase 2" Registered Plan of Subdivision from part-lot control;

AND WHEREAS By-law No. 90-90 was registered on title on the 19th day of April 1990 as Instrument No. 277428 L.T.;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-287 on the 9th day of October 1990 to extend the removal of part-lot control for a further one-year period;

AND WHEREAS By-law No. 90-287 was registered on title on the 30th day of October 1990 as Instrument No. 289672 L.T.;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 14th Report of the Planning and Development Committee at its meeting held on the 8th day of October 1991, directed that a by-law be prepared to remove part-lot control from the lands herein described and to repeal By-laws No. 90-90 and 90-287.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of the Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. All of Lots 1, 2, 3, 5, 13, 53, 54, 55, 57, 62, 68, 69, 70, 73, 74, 75, Block 140 and Lots 78-138 inclusive, of Registered Plan Number 62M-639, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

2. This by-law shall come into force and effect on the date of approval by The Regional Municipality of Hamilton-Wentworth in accordance with section 49(7) of the Planning Act, 1983 and O. Reg. 443/75 thereunder.

3. By-laws No. 90-90 and 90-287 are hereby repealed.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 14 R.P.D.C. 4, October 8

The Corporation of the City of Hamilton

BY-LAW NO. 91 -

To Authorize the Borrowing of \$8,000,000.00 to
Finance Bank Overdrafts as and when
they Arise from Current Expenditures

Whereas the Council of The Corporation of the City of Hamilton (hereinafter called the "Municipality") deems it necessary to borrow the sum of \$8,000,000.00 or lesser amount not cumulative subject to the cumulative total of 70% of the annual uncollected balance of the estimated revenue to pay for temporary bank overdrafts as and when they arise in relation to the current expenditures of the Municipality for the year;

And Whereas the total amount of the estimated revenues of the Municipality as set forth in the preliminary estimates adopted for the year 1991, is \$159,479,450.00,

And Whereas the total of amounts heretofore may be borrowed for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended;

Therefore the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. The Mayor and the Treasurer are hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums not exceeding the aggregate \$8,000,000.00 at one time to pay off temporary bank overdrafts for the current expenditures of the Municipality for the year, including the amounts required for the purposes mentioned in Subsection(1) of Section 189 of the Municipal Act, and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Mayor and Treasurer for the monies so borrowed with interest at such rate as may be agreed upon from time to time with the Bank.
2. All sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank for any or all of the purposes mentioned in the said Section 189, shall, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the monies hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

PASS this

day of September

A.D. 1991

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 91-

TO APPOINT AN EXTERNAL AUDITOR

WHEREAS Section 88(1) of the Municipal Act, R.S.O. 1980, Chapter 302, authorizes the City Council to appoint one or more auditors who are licensed under the Public Accountancy Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 7 of the 4th Report of the Finance Committee on January 28, 1986 appointed the firm of Spicer MacGillivray as the City of Hamilton's external auditor;

AND WHEREAS Spicer MacGillivray later changed its name to Pannell Kerr MacGillivray;

AND WHEREAS Pannell Kerr MacGillivray has since become MacGillivray Partners;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1992.
2. Notwithstanding Section 1, MacGillivray Partners must complete the 1992 audit and the 1992 financial report for the Corporation of the City of Hamilton.
3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.
4. The annual fee payable to the auditor will be adjusted by no more than the change in the Consumer Price Index (C.P.I.) from October of the next previous year. The fee will be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as a part of the regular fee.
5. The special audit work assigned separately will be billed at the normal rate less 15% discount.

PASSED this . day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF OCTOBER A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 4th day of October A.D. 1991

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91 -

To Authorize:

- HAMILTON PUBLIC LIBRARY
SEP 24 1991
GOVERNMENT DOCUMENTS
1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalk on east side of CENTENNIAL PARKWAY between Hamilton/Stoney Creek City limits and Vineyard Road, as described in Schedule "A";
 2. The special assessment to pay a portion of the cost of the works by the abutting owners;
 3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 5 of the 5th Report of the Transport & Environment Committee on March 12, 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 14 of the 5th Report of the Finance & Administration Committee on March 12, 1991;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 15th day of July, 1991, issue Order No. E910719 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$23,748.00 and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$15,276.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$23,748.00.

2. The share or portion of the estimated cost of the works in the amount of \$15,276.00 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$15,276.00;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk

Mayor

(1991) 5 R.T.E.C. 5, March 12
 (1991) 5 R.F.A.C. 14, March 12

SCHEDULE "A"

The construction of concrete sidewalk on the east side of CENTENNIAL PARKWAY between Hamilton/Stoney Creek City limits and Vineyard Road at the costs not exceeding those set out below:

City's Share	\$ 8,472.00
Owners' Share	<u>15,276.00</u>
TOTAL ESTIMATED COST	<u>\$ 23,748.00</u>
Estimated Cost per metre frontage	\$ 86.00
Fifteen (15) annual instalments	

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of concrete sidewalk on south side of LIMERIDGE ROAD between Upper Sherman and Hydro Right-of-Way, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 5 of the 6th Report of the Transport & Environment Committee on March 26, 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 14 of the 6th Report of the Finance & Administration Committee on March 26, 1991;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Local Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 15th day of July, 1991, issue Order No. E910720 approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at a total estimated cost of \$43,300.00 and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$34,173.82.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$43,300.00.

2. The share or portion of the estimated cost of the works in the amount of \$34,173.82 to be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$34,173.82;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk

Mayor

(1991) 6 R.T.E.C. 5, March 26
 (1991) 6 R.F.A.C. 14, March 26

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

TO INCORPORATE CITY LANDS
INTO GLEN FOREST DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Glen Forest Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Glen Forest Drive.

Firstly

Block "A", Registered Plan No. 1421, and

Secondly

Part of Parcel 1' Reserves, Section M-62
Being all of Block "F", Plan M-62
being part of the Parcel

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 3b (One Hour Limit)** the following item, namely:-

"King William	North	John to Catharine".
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2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting from **Section 7 (Three Hour Limit)** the following item, namely:-

"Milton	Both	200 ft. south of Barton to Myler".
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and by adding to **Section 5 (One Hour Limit)** the following items, namely:-

"Milton	East	commencing 122 feet north of Barton to Myler
Milton	West	commencing 198 feet north of Barton to Myler".

3. **Schedule 25A (Parking Time Limits)** is hereby amended by adding to **Section 6 (One Hour Limit)** the following item, namely:-

"Delmar	Both	commencing at a point 597 feet east of Columbia to a point 490 feet easterly therefrom".
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and by adding to **Section 21 (Two Hour Limit)** the following items, namely:-

"Crockett	North	East 34th to East 35th
Crockett	South	East 35th to a point 118 feet west".

4. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Napier	South	Wellesley to 36 feet east".
---------	-------	-----------------------------

and by deleting from **Section 7 (30 Minute Limit)** the following item, namely:-

"Crockett	South	East 35th to a point 118 feet west".
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5. **Schedule 26 (No Parking Areas)** is hereby amended by deleting from **Section A (No Parking Anytime)** the following items, namely:-

"Milton	East	100 ft. north of Barton to 100 ft. northerly
Parkview	West	Norwood to Franklin
Norwood	South	from the westerly leg of Parkview to 121 ft. easterly therefrom
Norwood	North	Parkview to Bond
West Ave.	East	King to 96 ft. south
Maplewood	South	Sherman to 49 ft. east
Southwood	East	Fennell to 110 ft. north
Luscombe	Both	Wellington to 75 ft. westerly
Riverdale	East	Glenburn to south City Limits".

and by adding thereto the following items, namely:-

"Norwood	North	Uplands to Bond
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West King William Lottridge	West North West	King to 115 feet south John to Catharine commencing at a point 110 feet north of Clinton to a point 105 feet northerly therefrom Sherman to 127 feet east Fennell to north curb line of Morningside Upper Wellington to 75 feet west Upper Wellington to 125 feet west commencing at a point 275 feet south of Glenburn to the south City Limits".
Maplewood Southwood Luscombe Luscombe Riverdale	South East North South East	

6. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following item, namely:-

"Norfolk Main to Sanders	West East".
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7. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Somerset	South	commencing 247 feet west of Barnesdale to a point 20 feet westerly therefrom	Anytime
Railway	West	from a point 156 feet north of Cannon to the north end	Anytime
Burton	South	commencing at a point 91 feet east of Emerald to a point 22 feet easterly therefrom	Anytime".

and by adding thereto the following items, namely:-

"Gibson	East	commencing at a point 332 feet south of Barton to a point 22 feet southerly therefrom	Anytime
Shaw	North	commencing at a point 282 feet west of Emerald to a point 20 feet westerly therefrom	Anytime
Campbell	North	commencing at a point 42 feet east of Agnes to a point 20 feet easterly therefrom	Anytime
Campbell	South	commencing at a point 10 feet east of the east curb line of Agnes to a point 24 feet easterly therefrom	Anytime
Holmes	North	commencing at a point 107 feet west of Emerson to a point 47 feet westerly therefrom	Anytime
Holmes	South	commencing at a point 69 feet west of Emerson to a point 20 feet westerly therefrom	Anytime
Holmes	South	commencing at a point 115 feet west of Emerson to a point 29 feet westerly therefrom	Anytime
Somerset	South	commencing at a point 56 feet west of Barnesdale to a point 20 feet westerly therefrom	Anytime

Picton

South

John to Catharine

Anytime

Riverdale

East

Glenburn to a point 275 feet
southerly therefrom

Anytime".

PASSED THIS

DAY OF

, A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Devonport	Southbound	Tom
Morgan	Eastbound	Caroga
Republic	Northbound	Brigade
Brigade	Eastbound and Westbound	Republic
Kimberly	Northbound and Southbound	Dundonald
Halam	Eastbound and Westbound	Shadyside".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by deleting therefrom the following item, namely:-

"Devonport	Southbound	Tom".
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3. Schedule 15 (Designated Traffic Lanes) is hereby amended by adding thereto the following items, namely:-

"Mount Albion	100 ft. south of King and King	East	Anytime	Northerly to easterly
Mount Albion	100 ft. south of King and King	2nd lane from east curb	Anytime	Northerly to westerly
Mount Albion	100 ft. south of King and King	3rd lane from east curb	Anytime	Northerly to westerly".

4. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Parkview	West	Norwood to Franklin	"Anytime
Norwood	South	south leg of Parkview to 121 feet east	Anytime
Norwood	North	Parkview to Uplands	Anytime
Hess	West	commencing at a point 74 feet south of Peter to a point 116 feet southerly therefrom	Anytime
West	East	King to a point 96 feet south	Anytime
West	West	Main to 115 feet south of King	Anytime".

and by deleting therefrom the following item, namely:-

"West Ave.	West	King to Main	Anytime".
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PASSED THIS DAY OF , A.D. 19

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED IN THE AREA NORTH OF RYMAL ROAD EAST
AND WEST OF UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

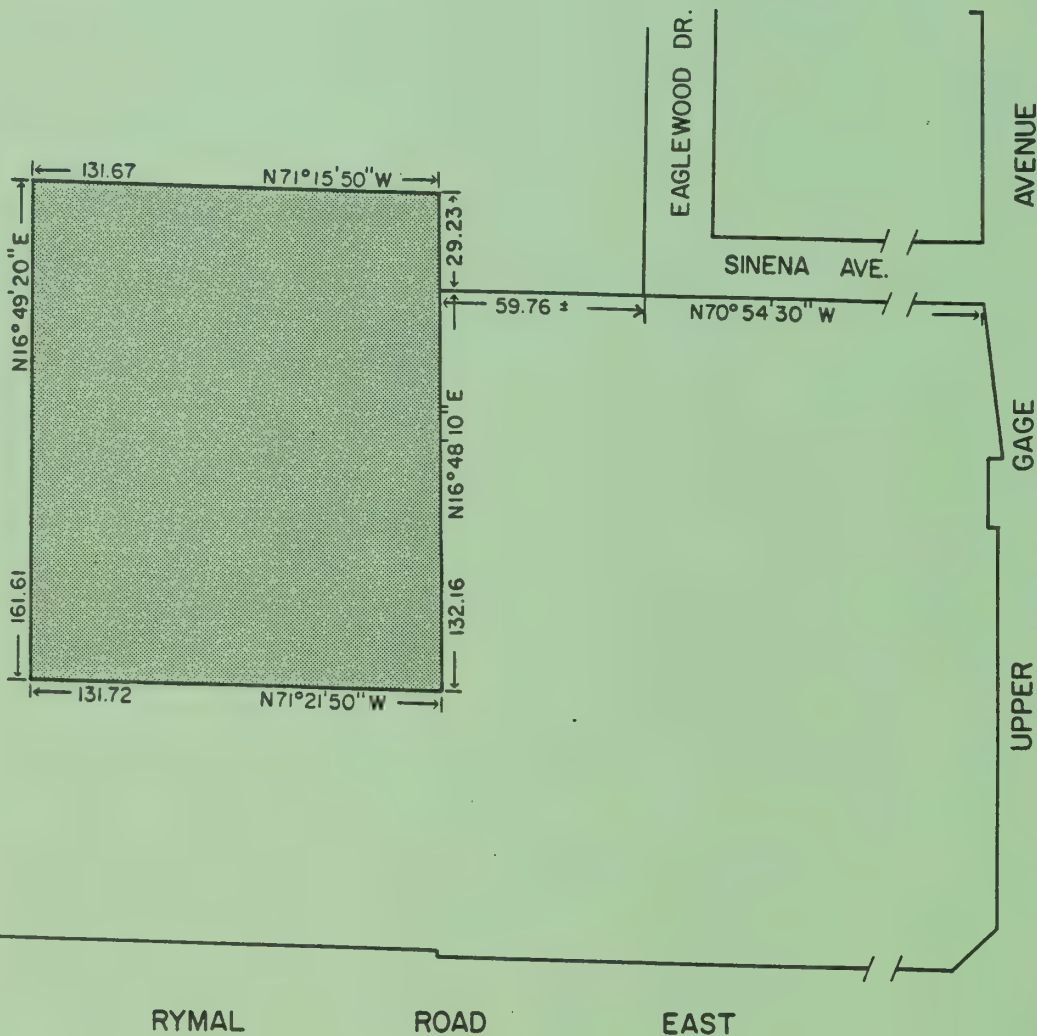
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
 Passed the day of, 1991.

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "C"(Urban
 Protected Residential, etc.) District.

North



Scale
 NOT TO SCALE

Date
 AUGUST, 1991

Reference File No.
 ZA 89-105

Drawn By
 P.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1175 STONE CHURCH ROAD EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (a) notwithstanding Section 17E(1)(c) of By-law No. 6593, the following Commercial Uses shall be permitted:

<u>S.I.C.</u> <u>Identification</u> <u>Number</u>	<u>Permitted Use</u>
5791	Office and Store Machinery, Equipment and Supplies, Whole- sale
6013	Bakery Products Stores
6221	Appliance, Television, Radio and Stereo Stores
6231	Floor Covering Stores
6341	Home and Auto Supply Stores
6412	General Stores
6531	Hardware Stores
6532	Paint, Glass, and Wallpaper Stores
6541	Sporting Goods Stores
7029	Other Banking-Type Intermediaries

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
7611	Insurance & Real Estate Agencies
7731	Offices of Chartered and Certified Accountants
8661	Offices of Chiropractors and Osteopaths
9211	Restaurants, Licensed
9212	Restaurants, Unlicensed (Including Drive-Ins)
9213	Take-Out Food Services
9713	Combination Barber and Beauty Shops
9723	Self-Serve Laundries and/or Dry Cleaners
9919	Other Machinery and Equipment Rental and Leasing

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1236.

4. Sheet No. E-59C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1236.

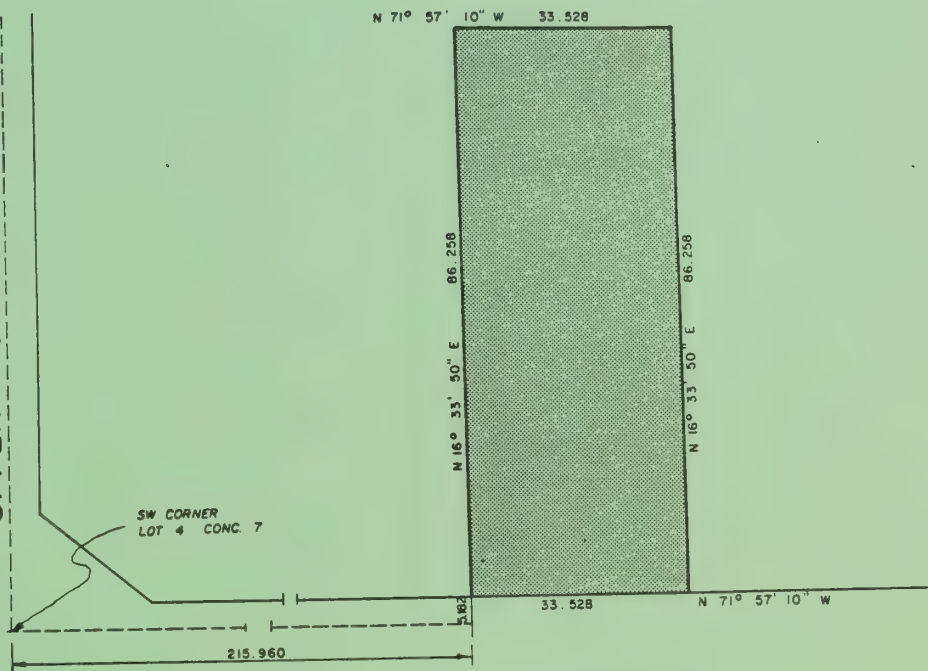
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

UPPER OTTAWA STREET



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....

North



Scale
NOT TO SCALE

Date
AUGUST, 1991

Reference File No.
ZA 91 - 25

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 135 NEBO ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions, as contained in Section 17F of Zoning By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (a) notwithstanding Section 17F(1)(b) of By-law No. 6593, the following Commercial Uses shall be permitted:

<u>S.I.C. Identification Number</u>	<u>Permitted Use</u>
6351	Garages (General Repairs)
6352	Paint and Body Repair Shops

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1238.

4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1238.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

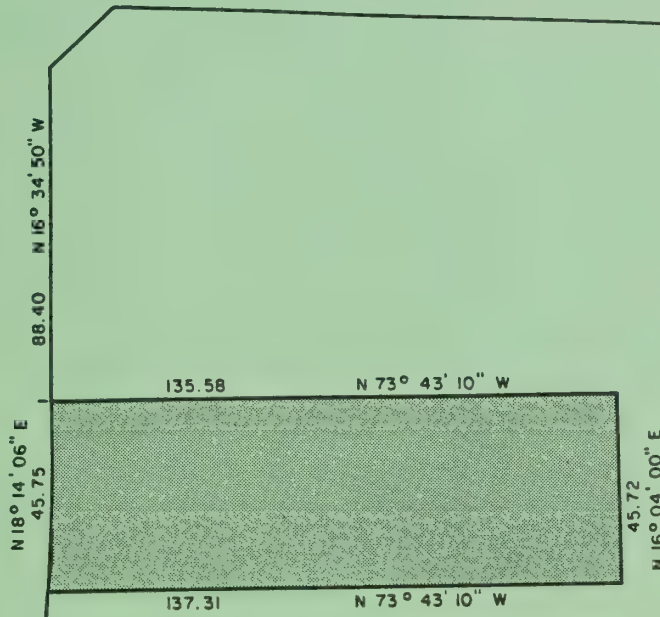
PASSED this day of A.D. 1991.

City Clerk

Mayor

HEMPSTEAD DRIVE

NEBO ROAD



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of ,1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....

North



Scale
NOT TO SCALE

Date
AUGUST, 1991

Reference File No.
ZA 91-33

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Adopt:

Official Plan Amendment No. 100

Respecting:

LANDS BOUNDED BY RYMAL ROAD EAST TO THE NORTH,
THE CITY LIMITS TO THE SOUTH, UPPER JAMES STREET TO THE WEST
AND THE MOUNT HAMILTON CEMETERY TO THE EAST
WITHIN THE ALLISON NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 100 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this day of A.D. 1991.

City Clerk

Mayor

Amendment No. 100

to the

City of Hamilton Official Plan

The following text, together with Schedules "A" and "F", attached hereto, constitute Official Plan Amendment No. 100.

Purpose

The purpose of this Amendment is to incorporate changes into the Official Plan, in recognition of Council's approval of the Allison Neighbourhood Plan.

Location

The lands affected by this Amendment are located within the Allison Neighbourhood, which is bounded by Rymal Road East, to the north, the City limits to the south, Upper James to the west and the Mount Hamilton Cemetery to the east.

Basis

The Schedule changes proposed by this Amendment reflect the recently approved Allison Neighbourhood Plan and will provide for the development of the subject lands, in accordance with the Approved Neighbourhood Plan.

Actual Changes

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating lands located south of Rymal Road East, east of Upper James Street, from "Residential" to "Open Space", as shown on the attached Schedule "A" of this Amendment.
- 2) Schedule "F" - Major Roads of the Official Plan be revised by deleting Upper Wellington Street, from Rymal Road East to the City limits, identified as a "proposed arterial road", from Schedule "F", as shown on the attached Schedule "F" of this Amendment.

Implementation

The provisions of Section D - Implementation of the Official Plan will apply to the implementation of this Amendment.

This is Schedule "1" to By-law No. 91- , passed on the day of , 1991.

The Corporation of the

City of Hamilton

City Clerk

Mayor

schedule A amendment no. 100

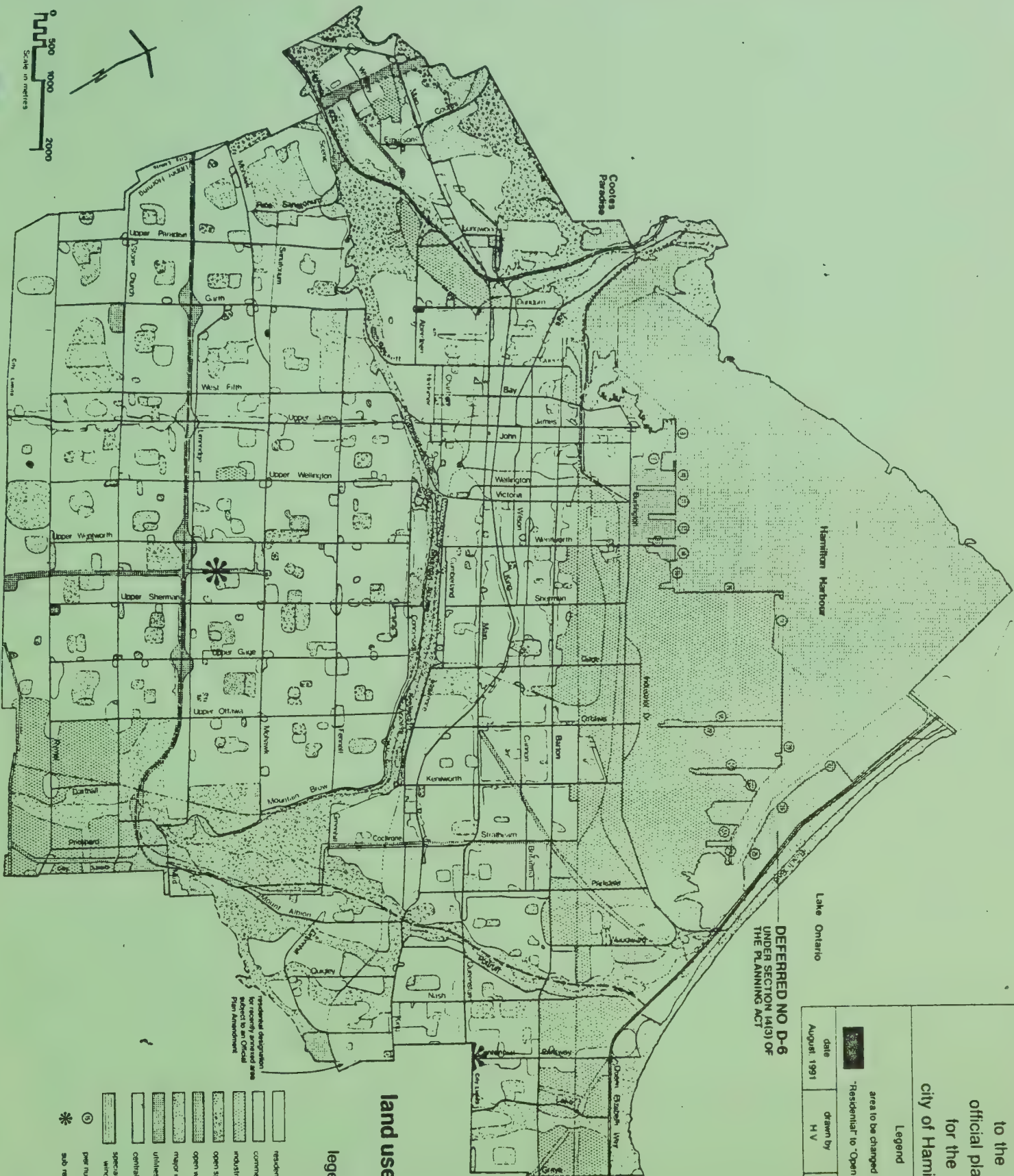
to the
official plan
for the
city of Hamilton

Legend

area to be changed from
"Residential" to "Open Space"

date	August 1991	drawn by	H V	reference file no	6-2-100
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DEFERRED NO D-6
UNDER SECTION 14(3) OF
THE PLANNING ACT



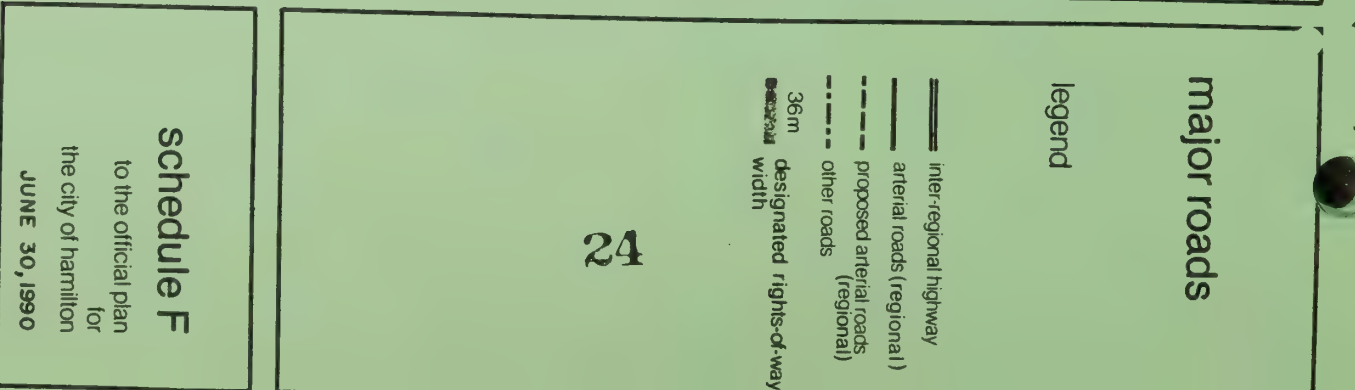
land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- central policy area
- special policy area
- windermere basin
- per numbers
- star symbol: sub regional centre

0 500 1000 2000
Scale in metres





The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Adopt:

Official Plan Amendment No. 101

Respecting:

LAND LOCATED AT MUNICIPAL NO. 674 UPPER JAMES STREET
WITHIN THE BONNINGTON NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 101 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this day of A.D. 1991.

City Clerk

Mayor

Amendment No. 101

to the

City of Hamilton Official Plan

The following text, together with Schedules "A" and "B", attached hereto, constitutes Official Plan Amendment No. 101.

Purpose

The purpose of this Amendment is to redesignate the subject lands from "Residential" to "Commercial" and to establish a "Special Policy Area" to limit the types of commercial uses permitted and to restrict commercial uses to the existing buildings.

Location

The lands affected by this Amendment are known municipally as 674 Upper James Street, within the Bonnington Neighbourhood.

Basis

The basis for permitting the conversion of the existing building for limited commercial uses is as follows:

- the subject lands are suitably located on a major arterial road;
- the proposal is consistent with existing development in the area;
- the proposal will not overburden existing sewers and watermains; and,
- the existing low-profile streetscape is maintained as the existing building is retained.

Actual changes

- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.
- 2) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.52:

"Within SPECIAL POLICY AREA 57, identified on Schedule B - Special Policy Areas and known municipally as 674 Upper James Street, limited commercial uses shall be permitted within the existing building as well as residential uses. In the event the existing building is destroyed, it will only be replaced by a building with the same external dimensions and floor area."

3) The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 57; and,
- "Area 57 refer to Policy A.2.9.3.52", in the legend;

as shown on the attached Schedule "B" of this Amendment.

IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 91 - _____, passed on the _____ day of _____, 1991.

The Corporation of the

City of Hamilton

City Clerk

Mayor

file no. 101

file no.	101
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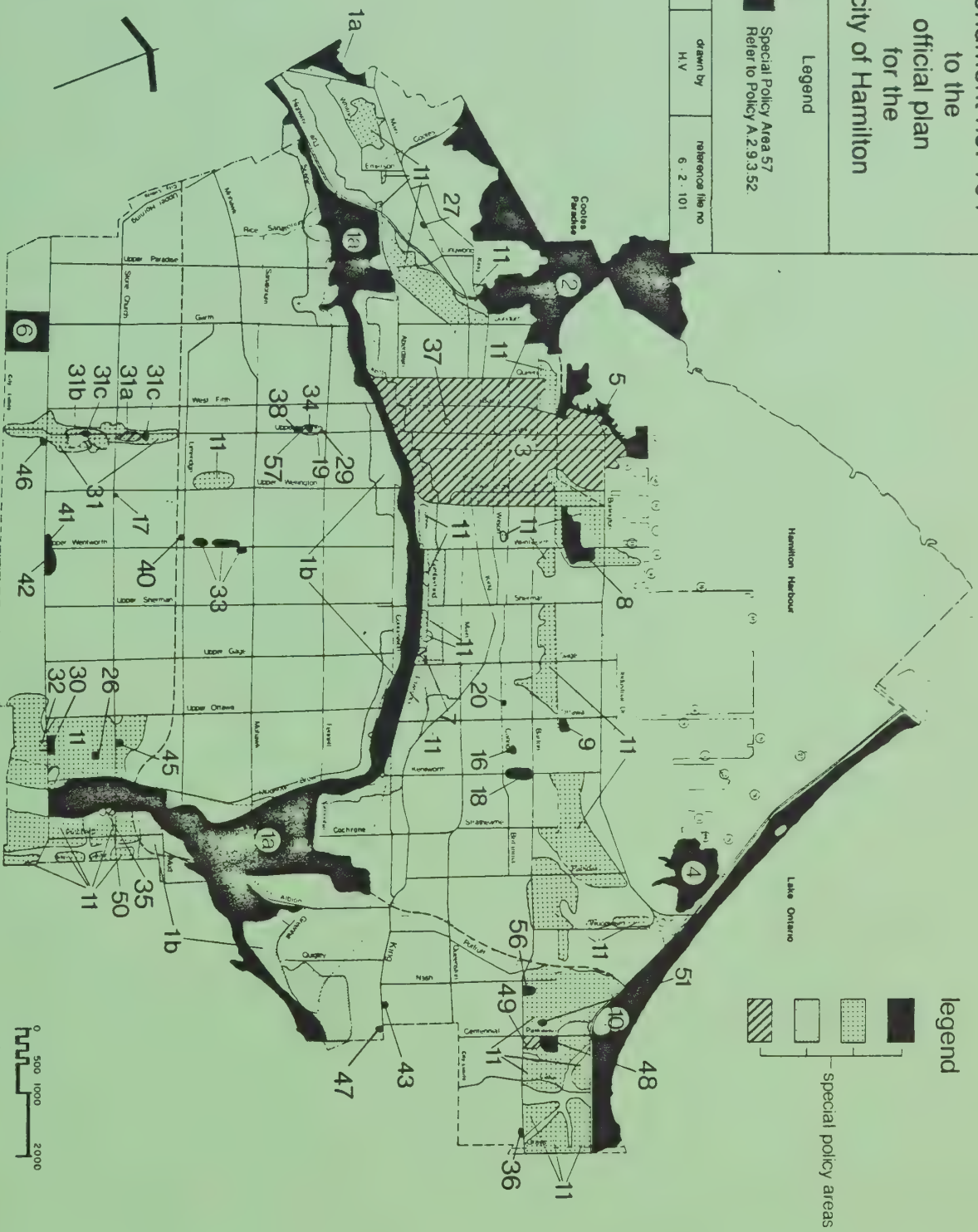


schedule B amendment no. 101

to the
official plan
for the
city of Hamilton

Special Policy Area 57
Refer to Policy A.2.9.3.52

date	drawn by	reference file no
August, 1991	H.V	6 - 2 - 101



special policy areas

AREA	REFER TO POLICY
1(a)	A.2.9.1
1(b)	A.2.9.2
2	A.2.9.3
3	A.2.9.3.1
4	A.2.9.3.2
5	A.2.9.3.3
6	A.2.9.3.4
7	A.2.9.3.5
8	A.2.9.3.6
9	A.2.9.3.7
10	A.2.9.3.8
11	A.2.9.3.9
16	A.2.9.3.14
17	A.2.9.3.15
18	A.2.9.3.16
19	A.2.9.3.17
20	A.2.9.3.18
21	A.2.9.3.19
22	A.2.9.3.20
23	A.2.9.3.21
24	A.2.9.3.22
25	A.2.9.3.23
26	A.2.9.3.24
27	A.2.9.3.25
28	A.2.9.3.26
29	A.2.9.3.27
30	A.2.9.3.28
31	A.2.9.3.29
31(a)	A.2.9.3.30
31(b)	A.2.9.3.31
31(c)	A.2.9.3.32
32	A.2.9.3.33
33	A.2.9.3.34
34	A.2.9.3.35
35	A.2.9.3.36
36	A.2.9.3.37
37	A.2.9.3.38
38	A.2.9.3.39
39	A.2.9.3.40
40	A.2.9.3.41
41	A.2.9.3.42
42	A.2.9.3.43
43	A.2.9.3.44
44	A.2.9.3.45
45	A.2.9.3.46
46	A.2.9.3.47
47	A.2.9.3.48
48	A.2.9.3.49
49	A.2.9.3.50
50	A.2.9.3.51
51	A.2.9.3.52
56	A.2.9.3.53

Refer to Schedule B - 1 for Special
Policy Areas in the Downtown

schedule B to the official plan for the city of hamilton

91 05 24

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Adopt:

Official Plan Amendment No. 102

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 122-126 MACNAB STREET SOUTH
AND 109, 111 AND 123 CHARLES STREET
WITHIN THE DURAND NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 102 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this day of A.D. 1991.

City Clerk

Mayor

Amendment No. 102

to the

City of Hamilton Official Plan

The following text, together with Schedule "B-1", attached hereto, constitutes Official Plan Amendment No. 102.

Purpose

The purpose of this Amendment is to establish a "Special Policy Area" for the subject lands to permit limited commercial uses, restricted to the existing buildings, within the "Residential" designation.

Location

The lands affected by this Amendment are known municipally as 122-126 MacNab Street South and 109, 111 and 123 Charles Street, within the Durand Neighbourhood.

Basis

The proposed Official Plan Amendment and associated rezoning will implement the recommendations of the MacNab-Charles Heritage Conservation District Plan, adopted by Council on January 30, 1990. As well, the Official Plan Amendment and associated rezoning will satisfy one of the conditions of approval imposed on the Heritage Conservation District by the Ontario Municipal Board. It is intended to facilitate the retention of the historic buildings within the MacNab-Charles Heritage Conservation District by permitting limited commercial uses. The associated zoning by-law amendment will limit the commercial uses to those which are compatible with the existing residential uses in the District.

Actual Changes

- 1) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.53:

"In addition to the permitted uses set out in Subsection A.2.1 - Residential Uses, for those lands shown on Schedule "B-1" as SPECIAL POLICY AREA 58, and known municipally as 122-126 MacNab Street South and 109, 111 and 123 Charles Street, limited commercial uses will be permitted within the existing buildings."

2) The following be added to Schedule "B-1" - Other Special Policy Areas:

- Special Policy Area 58; and,
- "Area 58 refer to Policy A.2.9.3.53", in the legend;

as shown on the attached Schedule "B-1" of this Amendment.

Implementation

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 91- , passed on the day of , 1991.

The Corporation of the

City of Hamilton

City Clerk

Mayor

schedule B-1
amendment no. 102
to the
official plan
for the
city of Hamilton

date August 1991	drawn by H V	revised file no 6 2 - 102
<div> <div></div> Special Policy Area 58 Refer to Policy A.2.9.3.53. </div>		



other special
policy areas

12	refer to policy A.2.9.3.10
13	refer to policy A.2.9.3.11
14	refer to policy A.2.9.3.12
15	refer to policy A.2.9.3.13
25	refer to policy A.2.9.3.20
28	refer to policy A.2.9.3.23
39	refer to policy A.2.9.3.34

schedule B-1
to the official plan
for
the city of Hamilton
JUNE 30, 1990

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Building Code By-law No. 85-86

To Authorize:

BUILDING PERMITS AND FEES

WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 85-86 on the 30th day of April 1985, pursuant to Section 5(2) of the Building Code Act, R.S.O. 1980, Chapter 365, to authorize building permits and fees;

AND WHEREAS the construction of buildings commenced prior to the issuance of a building permit increases the number of inspections required to ensure that the building has been constructed in accordance with the building permit application and the Building Code Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 10th Report of the Planning and Development Committee at its meeting held on the 25th day of June 1991, directed that By-law No. 85-86 be amended to increase the building permit fee for construction started prior to the issuance of a building permit.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 85-86 is further amended by adding thereto the following section:

16a. Every person applying for a permit, when construction or demolition has commenced prior to the issuance of the required permit, shall pay the fee required by section 16 as well as the permit fee as set out in Schedule "A-1".

2. Schedule "A" annexed hereto and forming part of this by-law is added to By-law No. 85-86 as Schedule "A-1".

3. In all other respects, By-law No. 85-86 as amended is hereby confirmed unchanged.

PASSED this day of A.D. 1991.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 91-

and

SCHEDULE "A-1"

To By-law No. 85-86

<u>Work Completed Prior to Permit Issuance (Column 1)</u>	<u>Increase in Permit Fee (Column 2)</u>
(a) Footings and Foundations	10%
(b) Structural Framing	25%
(c) Mechanical/Electrical Systems	50%
(d) Architectural	75%
(e) Building Completed	100%
(f) Demolition or Partial Demolition	100%

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 82 CHRISTIE STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8(3)(i) of By-law No. 6593, a front yard depth of at least 9.5 m shall be provided and maintained on Christie Street; and
- (b) notwithstanding Section 8(4) of By-law No. 6593, a lot area of at least 1,055 square metres shall be required.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1243.

5. Sheet No. W-9E of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1243.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

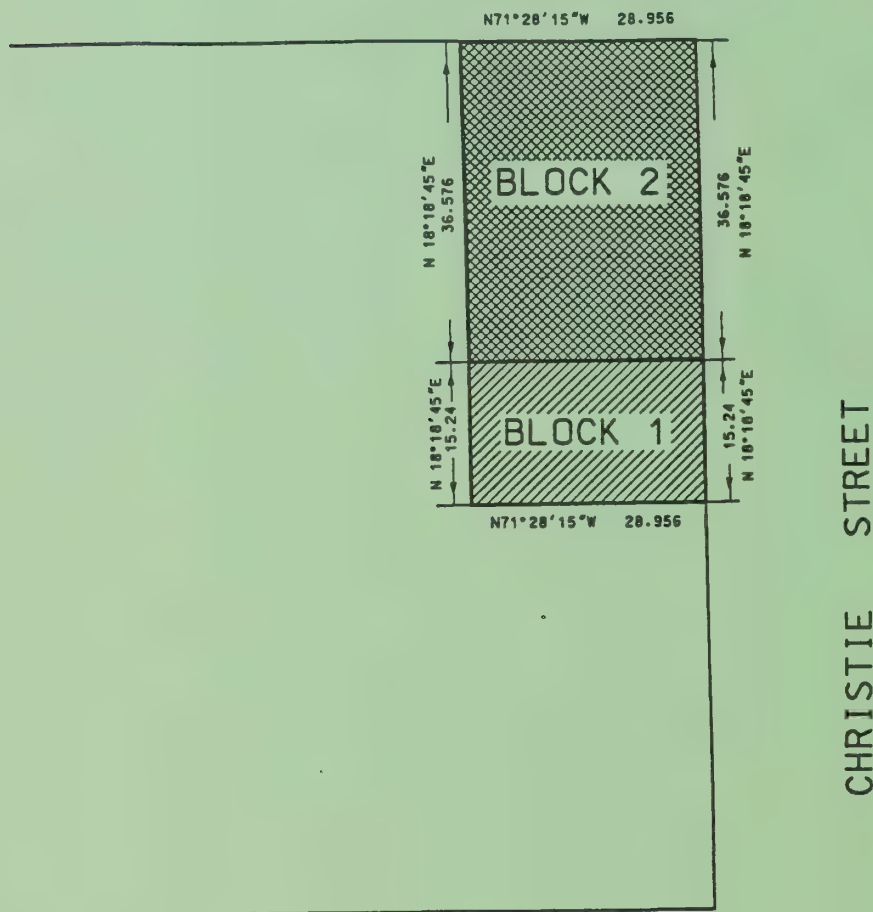
PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 12 R.P.D.C. 17, August 27
Mary O. Velenosi, Owner
ZA-91-32

ALDERSON DRIVE



CHRISTOPHER DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

Clerk

Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 91-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.



Modification to the "B" (Suburban Agriculture and Residential, etc.) District.

North



Scale

NOT TO SCALE

Reference File No.

ZA91-32

Date

SEPTEMBER, 1991

Drawn By

T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 987 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-27D and W-27E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

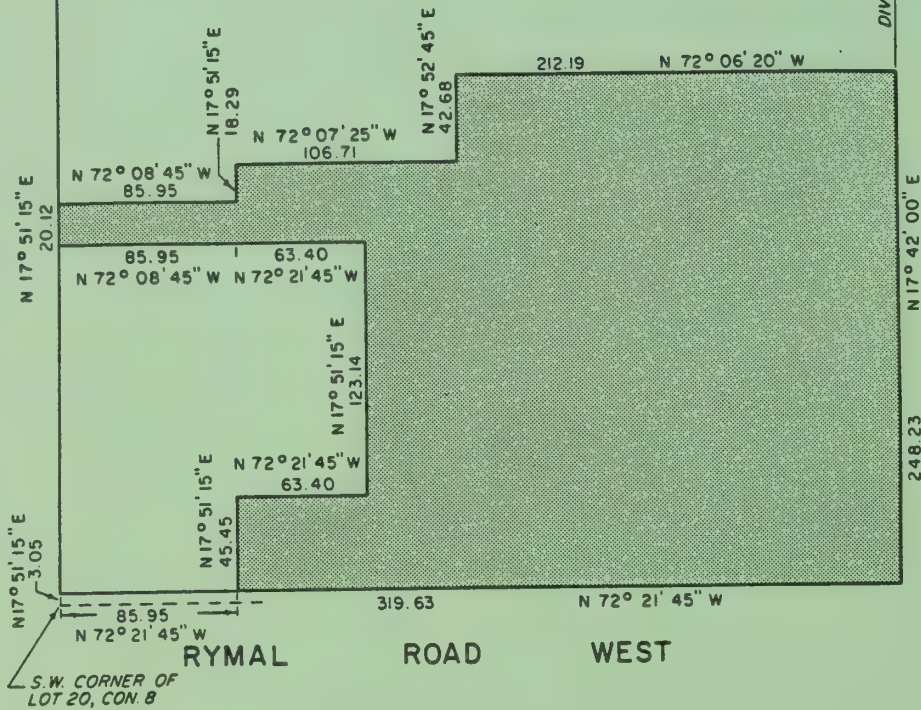
PASSED this day of A.D. 1991.

City Clerk

Mayor

PARADISE ROAD

UPPER



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "C"(Urban
Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Date
AUGUST, 1991

Reference File No.
ZA 91-01

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1425 and 1429 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-9C and E-9D of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, the land comprised in Block 1, and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District, referred to in section 1, shall be subject to the special requirement that,

- (a) upon the approval of a site plan incorporating Blocks 1 and 2 with the adjoining lands to the south and east, the 'H' symbol shall be removed by amendment to this by-law, and the development of the lands referred to in section 1 may proceed in accordance with the "HH" District provisions.

3. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A(3)(a) of By-law No. 6593, a front yard of not less than 24.0 m shall be provided and maintained;

- (b) a landscaped area of not less than 3.0 m in width, excluding vehicular access, shall be provided and maintained adjacent to the Upper James Street road allowance.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1242.

6. Sheets No. E-9C and E-9D of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1242.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

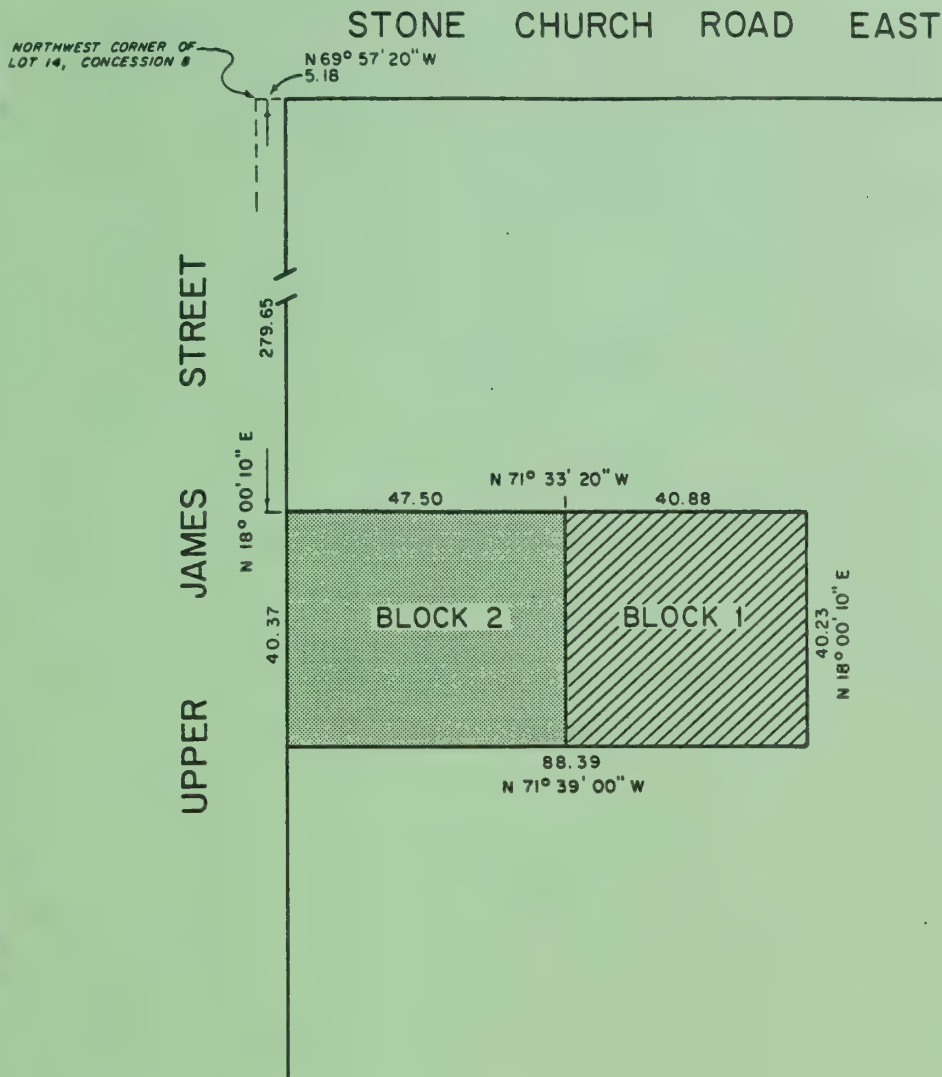
day of

A.D. 1991.

City Clerk

Mayor

(1991) 12 R.P.D.C. 16, August 27
775751 Ontario Inc. (John Paisley),
Prospective Owner
Amended ZA-90-88



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "HH-H" (Restricted Community Shopping and Commercial - Holding) District, Modified.

"C"(Urban Protected Residential, etc.) District to "HH-H" (Restricted Community Shopping and Commercial - Holding) District, Modified.

North



Scale
NOT TO SCALE

Date
AUGUST, 1991

Reference File No.
ZA 90-88

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend Zoning By-law No. 6593
and
To Repeal Zoning By-law No. 87-29

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 122-126 MACNAB STREET SOUTH
AND 109, 111 AND 123 CHARLES STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-29 on the 27th day of January 1987 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E-3" District, in respect of the lands located at Municipal Nos. 126 MacNab Street South and 40 and 42 Bold Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 19 of the 12th Report of the Planning and Development Committee on the 27th day of August 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 87-29 be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 87-29 be repealed in its entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 102, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 87-29 is hereby repealed in its entirety.
2. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,
 - (a) notwithstanding Section 11C(1) of By-law No. 6593, the following commercial uses shall be permitted only within the buildings existing on the date of the passing of the by-law:

1. professional and medical offices;
2. art gallery;
3. bookstore;
4. opticians' offices;
5. optometrists' establishments; and
6. photographer's or artist's studio;

(b) notwithstanding Section 11C(1) of By-law No. 6593, the following accessory use to the commercial uses referred to in clause (a), shall be permitted:

1. One business identification sign that is a ground sign, wall sign or projecting sign that complies with all of the following requirements:

A. The area of the sign shall not exceed 0.4 m²;

B. The sign shall be non-illuminated or illuminated by non-flashing, indirect, or interior means only;

C. No sign shall be situated less than 1.5 m from the nearest street line;

(c) notwithstanding Section 18A of By-law No. 6593, no required parking and no non-required parking shall be permitted in the front yard;

(d) the outside display of goods or wares shall be prohibited for commercial uses within the District.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1239.

5. Sheet No. W-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1239.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of , A.D. 1991.

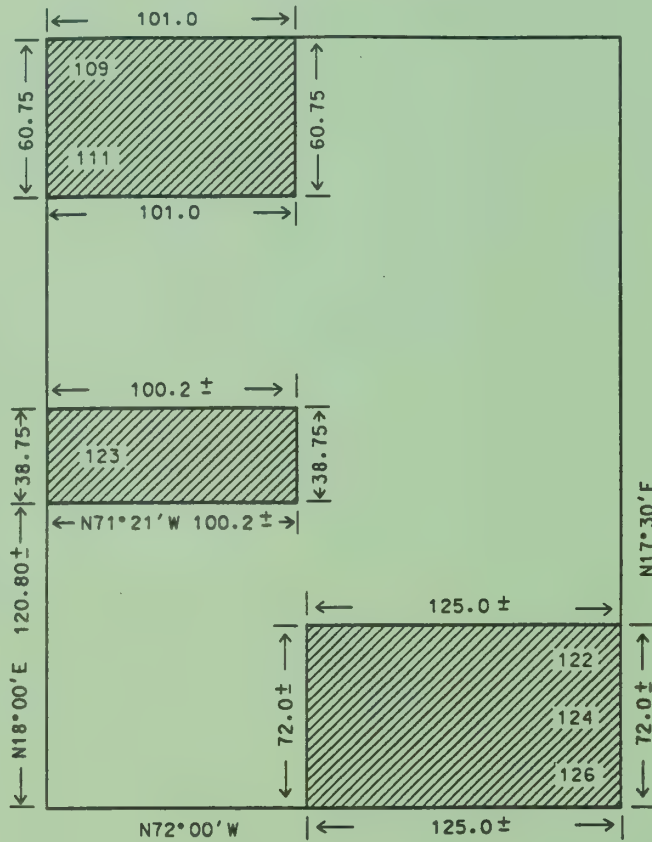
City Clerk

Mayor

HURST PLACE

CHARLES ST.

MACNAB ST. SOUTH



BOLD ST.

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

Clerk

Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 91-_____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....



North

Scale
NOT TO SCALE

Reference File No.
C.I. 91-B

Date
SEPTEMBER, 1991

Drawn By
P.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend By-law No. 79-323

To Add **SCHEDULE 10** respecting the:

OWNERS AND DRIVERS OF TOW-TRUCKS

WHEREAS Section 227 of the Municipal Act, R.S.O. 1980, c. 302, provides that by-laws may be passed for the licensing, regulating and governing of owners and drivers of vehicles used for hire or any class or classes thereof, and for revoking any such licence.

AND WHEREAS Paragraph 115 of Section 210 of the said Municipal Act, R.S.O. 1980, c. 302, provides that by-laws may be passed for prohibiting persons from soliciting or importuning, on a highway or in a public place, others to travel in or employ any vessel or vehicle, or for regulating persons so employed.

AND WHEREAS Section 160 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c. 437, provides that the council of the City of Hamilton may pass any by-law that a board of commissioners of police of a city is authorized to pass under the Municipal Act.

AND WHEREAS it is considered desirable and expedient to license and regulate tow-trucks;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the day of 1991 directed that By-law No. 79-323 be amended to provide for the licensing and regulation of tow-trucks, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-323 is amended by adding thereto as Schedule 10, the following:

SCHEDULE 10 : TOW-TRUCKS

DEFINITIONS

1. For the purposes of this Schedule, the following definitions apply:

(a) "highway" means a highway as defined in the Municipal Act, but does not include a King's Highway as defined in the Highway Traffic Act, or a road, street, bridge or highway laid out but not assumed for public use or established by by-law, whether built by a private person or body corporate.

(b) "Highway Traffic Act" shall be deemed to be a reference to the Highway Traffic Act, R.S.O. 1980, c. 198.

(c) "Licence Holder" means a person licensed under this Schedule as an owner or driver of a tow-truck.

(d) "motor vehicle" means motor vehicle as defined in the Highway Traffic Act.

(e) "owner" of a tow-truck includes a purchaser or person entitled to operate, possess, or use the tow-truck, under a lease or conditional purchase agreement.

(f) "tow-truck" means a motor vehicle, which is designed, modified, or used, for the towing, carrying, or lifting of disabled or inoperative motor vehicles, with or without the assistance or use of lifts, winches, dollies, trailers or like equipment, and operated as such for a fee.

(g) "towing service" shall mean the provision or use of a tow-truck, the assistance of the driver, and the use of the equipment carried or available for use in conjunction with the tow-truck for the pulling, carrying or lifting of a motor vehicle, at a place located within the City of Hamilton.

LICENCE

2. (1) Subject to (3), every owner or driver of a tow-truck, using the tow-truck to provide towing services at the scenes of accidents, shall obtain, and maintain in good standing, a licence from the Corporation of the City of Hamilton, authorizing the carrying on or engaging in the business or occupation of offering or providing such towing services.

(2) Subject to (3), no person shall carry on, or engage in, the business or occupation of towing motor vehicles from the scenes of accidents as a tow-truck owner or driver in the City of Hamilton, without first having obtained a licence under this Schedule.

(3) For the purposes of (1) and (2) the towing of motor vehicles from accidents located outside the boundaries of the City of Hamilton, is deemed not to be a business or occupation which requires a licence under this Schedule.

3. (1) In addition to the application, an applicant for a tow-truck owner's licence, upon first application or renewal, shall provide:

(a) proof of a valid provincial drivers' licence, along with the licence number, authorizing the applicant to operate the tow-truck to be licensed, unless the owner indicates on the application that he will not personally drive the tow-truck;

(b) proof that the tow-truck is registered and licensed with the Ministry of Transportation, along with the vehicle identification number and licence number;

(c) proof that the tow-truck is insured for operation on public roadways, the name of the insurance company, policy number and date of expiry, the insurance supplying a minimum coverage of \$1,000,000.00 for third party liability, which insurance also fully compensates for loss or damage to towed motor vehicles;

(d) a current Safety Standards Certificate for the vehicle to be licensed, issued under the Highway Traffic Act; and

(e) the address of any storage yard operated by the owner, and the address of the owner's office from which the business is operated, if different from the address of the storage yard.

(2) An owner who has indicated he will be a driver of the tow-truck and who has otherwise complied with the requirements of being licensed as a driver, may be issued a tow-truck driver's licence in addition to the owner's licence without being required to pay the fee for such driver's licence.

(3) A tow-truck owner licensed under this section, shall hold such licence and rights thereunder subject to the requirement that all insurance and required provincial licences are not suspended, cancelled or otherwise revoked, and shall return the licence to the City immediately upon any such suspension, cancellation or revocation.

(4) A tow-truck owner's or driver's licence given to the City under subsection (3), shall be returned to the owner, upon the owner supplying the City with proof of reinstatement of the insurance or provincial licences, along with the particulars thereof required by subsection (1).

4. (1) In addition to the application, an applicant for a tow-truck driver's licence shall provide:

- (a) where available, the full name and address of his employer;
- (b) where available, the name of the owner and municipal licence number, respecting the tow-truck to be driven;
- (c) proof of a valid provincial driver's licence, along with the licence number; and
- (d) three recently taken passport sized photos with a head and shoulders view, clearly showing the applicant's face.

(2) A tow-truck driver licensed under this section, shall hold the licence and rights thereunder subject to the requirement that the provincial driver's licence is not suspended, cancelled or otherwise revoked, and shall return the tow-truck driver's licence to the City immediately upon any such suspension, cancellation or revocation.

(3) A tow-truck driver's licence given to the City under subsection (2), shall be returned to the driver, upon the driver supplying the City with proof of reinstatement of the provincial licence, along with the particulars thereof required by subsection (1).

REGULATION

5. (1) No person shall solicit the hiring of a tow-truck or offer towing services, while that person is within 200 metres of,

- (a) the scene of a motor vehicle accident or apparent accident; or
 - (b) a motor vehicle involved in an accident,
- on a highway.

(2) No Licence Holder shall park or stop a tow-truck on a highway within 200 metres of,

- (a) the scene of a motor vehicle accident or apparent accident; or
- (b) a motor vehicle involved in an accident.

(3) Subsections (1) and (2) do not apply to a person who is at the scene of the accident at the request of a police officer, a municipal fire fighter, an officer appointed for carrying out the provisions of the Highway Traffic Act, a person engaged in highway maintenance, or a person involved in the accident.

6. (a) An owner of a tow-truck shall not permit the operation of the tow-truck within the City of Hamilton by a driver who does not have a valid and current licence issued under this Schedule.

(b) A tow-truck owner shall supply the City of Hamilton Licence Division with a current written list of all tow-truck drivers' names, addresses and telephone numbers, within seven days of obtaining a tow-truck owner's licence, and shall also supply the City with any further additions or deletions to such list.

7. While operating a tow-truck, the driver shall carry the photo identification and licence supplied by the City and shall produce such documentation on demand, to a police officer or other persons authorized to enforce by-laws of the City.

8. (1) No licensed tow-truck owner shall drive or operate any tow-truck, or permit to be driven or operated any tow-truck, without first ensuring the tow-truck has:

(a) the licence plate issued by the City, affixed on the outside of the tow-truck and facing the rear, prominently displaying the identifying licence number, in such a manner that the number is visible from behind the truck and without obscuring the provincial licence plate;

(b) the name of the owner, or a registered trade name, painted on the outside of each door in letters at least 5 centimetres in height, in a colour contrasting to that of the doors, so that the name is prominently displayed;

(c) the address and telephone number of the owner, painted on the outside of each side of the body or door, in letters of at least 4 centimetres in height, in a colour contrasting to that of the body or door, so that the address and telephone number are prominently displayed; and

(d) the municipal licence number, painted on the side of the tow-truck on the outside of each front quarter panel, in letters at least 12 centimetres in height in a colour contrasting to that of the quarter panel, so that the number is prominently displayed.

(2) A tow-truck owner, prior to driving or operating, or permitting the driving or operation of the tow-truck, shall outfit the tow-truck with the following equipment in working order, which shall be considered a minimum standard for the purposes of safe operating condition:

(a) one 5 pound capacity, multi purpose A,B,C rated portable fire extinguisher, listed by Underwriters Laboratories of Canada, capable of functioning at -40 degrees celsius, mounted in the cab or under protective covering, and maintained in accordance with manufacturers specifications;

(b) a flashlight, broom, shovel and heavy duty pry bar;

(c) a reflective safety vest for the driver and any assistant;

- (d) a device for securing the steering wheel of a motor vehicle to be towed;
- (e) two safety chains, each comprised of links of at least 5/16 of an inch of steel;
- (f) road flares in sufficient quantity for thirty minutes of use;
- (g) a light bar capable of being used on a towed vehicle if necessary;
- (h) a revolving light visible from the front and rear of the tow-truck; and
- (i) a lift, winch, dolly, trailer or like equipment for the towing, carrying, or lifting of motor vehicles, with the manufacturers or other tested ratings for weight capacity posted near the operators controls, and sufficient equipment to secure the towed vehicle to the tow-truck, trailer and dolly, and where the tow-truck is equipped with more than one device for towing, carrying or lifting motor vehicles all such equipment shall comply with the requirements of this paragraph.

(3) A tow-truck owner shall maintain, and by regular inspection ensure, that the tow-truck is kept in safe operating condition and in compliance with the applicable standards imposed by the Highway Traffic Act, failing which the tow-truck shall be removed from service.

(4) A tow-truck owner or driver shall comply with the request of a police officer or licence inspector to produce the tow-truck and allow it to be examined for the purposes of compliance with the requirements of subsections (1) and (2).

(5) A tow-truck owner or driver shall comply with the request of a police officer or licence inspector to take the tow-truck to a Ministry of Transportation vehicle inspecting facility, or to an Ministry of Transportation authorized inspector, and return with a current Safety Standards Certificate or any deficiency report obtained, for the purpose of ensuring compliance with the applicable requirements of subsections (1), (2) and (3).

9. The fees for issuance or renewal of licences under this Schedule shall be as follows:

- (a) For a tow-truck owner's licence, per vehicle\$100.00;
- (b) For a tow-truck driver's licence\$ 30.00.

2. This by-law comes into force and effect on January 1, 1992.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991)

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

By-law No. 80-258

Respecting:

SMOKING IN PUBLIC AREAS

WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 80-258 on the 30th day of September 1980;

AND WHEREAS Section 210 of paragraph 27 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides as follows:

210. By-laws may be passed by the councils of local municipalities:

27. For regulating smoking in retail shops in which ten or more persons are employed, or in any class or classes thereof, and for prohibiting smoking in such shops or any class or classes thereof, or in any part or parts thereof;

AND WHEREAS it has been determined that environmental tobacco smoke (ETS) is irritating and discomforting and a hazard to the health of the residents of Hamilton;

AND WHEREAS Section 104 of the Municipal Act provides as follows:

104. Every council may pass such by-laws and make such regulations for the health, safety, morality and welfare of the inhabitants of the municipality in matters not specifically provided for by this Act as may be deemed expedient and are not contrary to law, and for governing the proceedings of the council, the conduct of its members and the calling of meetings;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 24 of the 16th Report of the Finance and Administration Committee at its meeting held on the 27th day of August 1991, authorized the preparation of a by-law to amend By-law No. 80-258.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 80-258 is amended by adding the following clause:

- (aa) "bar, lounge or tavern" shall mean a building or structure or part of a building or structure which is licensed to sell liquor under the Liquor Licence Act, 1990, and which derives 51 percent or more of its revenue from the sale of alcohol, wine, spirits or beer;

2. Section 1 of the said by-law is amended by adding the following clause:

(ff) "shopping mall" means any enclosed area that is open to the general public for the purpose of access to one or more retail shops;

3. Subsection 1 of section 2 of the said by-law is amended by striking out the words "hairdressing parlour, barber shop, restroom, or a part used as offices by members of the staff".

4. The said by-law is further amended by adding the following section:

Shopping Malls

3a. (1) Except as provided in subsection 2, no person shall smoke in the common areas of a shopping mall.

(2) The owner of the shopping mall may designate not more than 50% of the area where seating is provided for the consumption of food as a smoking area.

(3) The owner of the shopping mall shall post or cause to be posted one or more signs in accordance with the requirements of section 20 or section 21.

(4) The sign or signs shall be conspicuously posted so as to be clearly visible to the users of the shopping mall.

5. (1) Section 4 of the said by-law is amended by repealing subsection 4.

(2) Subsection 3 of section 4 of the said by-law is repealed and the following is substituted in lieu thereof:

(3) No person shall smoke in a patient care area in a hospital.

6. Sections 8 and 9 of the said by-law are repealed in their entirety.

7. The said by-law is further amended by adding the following section:

Apartments

11a. (1) In this section, "common area" means any part of the building normally open to the residents of the building and includes any hallway, corridor, mailroom or other amenity area in the building.

(2) No person shall smoke in the common area or the laundry room of any apartment building which contains more than 2 residential units.

(3) Where smoking is prohibited in a common area or a laundry room, the owner shall post or cause to be posted one or more signs in accordance with the requirements of section 20 or section 21.

(4) The sign or signs shall be conspicuously posted so as to be clearly visible to users of the common area or laundry room.

8. The said by-law is further amended by adding the following section:

Bus Shelters

14a. (1) No person shall smoke in a bus shelter.

(2) The owner of the bus shelter shall post or cause to be posted one or more signs in accordance with the requirements of section 20 or section 21.

(3) The sign or signs shall be conspicuously posted so as to be clearly visible to the users of the bus shelter.

9. Subsection (2) of section 17 of the said by-law is repealed and the following is substituted in lieu thereof:

(2) Subject to the Fire Marshals Act, the proprietor may designate not more than 50% of the eating area for the purpose of smoking.

10. The said by-law is further amended by adding the following section:

Bars, Lounges and Taverns

17a. (1) Except as provided in subsection 2, no person shall smoke in a bar, lounge or tavern.

(2) Subject to the Fire Marshals Act and subsection 4, the proprietor may designate not more than 80% of the seating capacity and serving area for the purpose of smoking.

(3) The seating capacity and servicing area designated under subsection 2 shall be composed of a contiguous area of the bar, lounge or tavern.

(4) The proprietor shall provide financial statements satisfactory to the Manager of Licensing, which must indicate that the bar, lounge or tavern derives 51 percent or more of its revenue from the sale of alcohol, wine, spirits or beer.

(5) If the proprietor does not provide the financial statements required by subsection 4, the bar, lounge or tavern shall be deemed to be a restaurant and shall be subject to the requirements of section 17.

(6) Where smoking is prohibited in a bar, lounge or tavern, the proprietor shall,

(a) place or cause to be placed one or more tent signs or stand-up signs on the table or other surface on which food is served for consumption therefrom; or

(b) post or cause to be posted one or more signs in accordance with the requirements of section 21.

(7) Where a sign is placed in accordance with clause (a) of subsection 6, it shall be conspicuously placed,

(a) so as to be clearly visible on the table or other surface; and

(b) so as to clearly identify the table or other surface as being in the area in which smoking is prohibited.

(8) Where a sign is posted in accordance with clause (b) of subsection 6, it shall be posted,

(a) so as to be clearly visible from all parts of the area occupied by seating capacity designated under subsection 2 of section 17;

(b) so as to clearly identify the area occupied by the seating capacity not so designated.

(9) Where a proprietor of a bar, lounge or tavern or his employee or any other person on his behalf,

(a) directs patrons to a seating or waiting area; or

(b) takes advance reservations by telephone,

the proprietor or his employee or any other person shall determine in advance of seating, the preference of the patron or prospective patron for an area in which smoking is permitted or an area in which smoking is prohibited and shall direct the patron to the preferred area.

11. Paragraph 1. of subsection 2 of section 21 of the said by-law is amended by striking out "\$2,000" in the second line and substituting in lieu thereof "\$5,000".

12. Section 23 of the said by-law is amended by striking out the words "and on summary conviction is liable to a fine of not more than \$2,000.00, exclusive of costs" and substituting in lieu thereof, "and shall be liable to the penalty as specified in the Provincial Offences Act."

13. In all other respects, By-law No. 80-258, as amended, is hereby confirmed, unchanged.

14. This by-law comes into effect on January 1, 1992.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF SEPTEMBER A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of August A.D. 1991

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CA4 ON HBL A05
A31 1991

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

71 MAIN STREET WEST
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, October 8, 1991
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNIC

AGENDA

GOVERNMENT DOCUMENTS

1. Opening Prayer

Father Alfred Des Autels
Notre Dame Perpetual Secours Church

2. Certificate of Recognition

Natalie Quick - Highland Fling Dancing

3. Civic Awards

Kim Beveridge, Elly Kowalczyk
Hamilton Synchronized Swimming Club

4. Proclamations

- (a) National Blood Donor Appreciation Week,
October 10 to October 17, 1991
- (b) Ostomy Awareness Week, October 14 to October 20, 1991
- (c) World Food Day, October 16, 1991

5. Minutes

September 24, 1991

6. Petitions and Correspondence

7. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (d) Information Systems Committee
- (h) Finance and Administration Committee

8. Notices of Motion for Next Meeting

9. First Reading of the Bills

10. Second Reading of the Bills - Committee of the Whole

11. Third Reading of the Bills

12. Question Period

13. Adjournment

M I N U T E S

Hamilton City Council
September 24, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson,
Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross.

Mayor Morrow called the meeting to order.

* * * * *

Father Emeric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led the Council
in prayer.

* * * * *

A Certificate of Appreciation was presented to Mayor Arthur Eggleton, City of Toronto for
his outstanding service as the Mayor of the City of Toronto and for his efforts and his
readiness always to work together with us, particularly his support for Hamilton hosting the
1986 Federation of Canadian Municipalities Conference which had been awarded to
Hamilton.

A Certificate of Appreciation was presented to the following employees of the Corporation
of the City of Hamilton who have met 35 years of service: Charles Ellis, Fire Department,
Sam Esposto, Public Works Department, Kenneth Kiernan, Fire Department and Leonard
Lockwood, Public Works Department.

A Certificate of Recognition was presented to Enrico Henry Mancinelli on the occasion of
his election as Vice-President of the Labourers' International Union of North America.

Civic Awards were presented to the Cardinal Newman Express Soccer Team who won the
Ontario Federation of Secondary Schools Athletic Association gold on four occasions.

* * * * *

Mayor Morrow introduced Chief Robert Middaugh, the newly appointed Chief to the
Hamilton-Wentworth Regional Police Force to the Members of City Council.

September 24, 1991

* * * * *

Mayor Morrow proclaimed the following:

September 30th to October 4th, 1991 as "Hamilton Civic Employee Charity Fundraising Campaign" week.

September 15th to September 21st, 1991 as "Legion Week".

September 15th to September 21st, 1991 as "Hamilton and District Extend-A-Family Week".

September 22nd to September 28th, 1991 "Ontario Home Week".

* * * * *

Mr. Rick Campanella, Chairman, Hamilton Civic Employee Charity Fundraising Campaign presented a cheque to the Disabled and Aged Regional Transit System (DARTS).

* * * * *

The minutes of the City Council meeting held 1991, August 27 were adopted as circulated.

* * * * *

Correspondence:

1. Resolution dated August 21, 1991 from the Corporation of the City of Windsor respecting bicycle promotion.

Referred to the Transport and Environment Committee.

2. Letter dated September 9, 1991 from CP Rail respecting the former TH&B Roundhouse.

Referred to the Planning and Development Committee.

3. Letter dated September 23, 1991 from Mr. D Reid, General Manager, Hamilton Municipal Employees' Credit Union Limited regarding the lease of 50 Jackson Street West, Hamilton, Ontario.

Referred to the Finance and Administration Committee.

September 24, 1991

4. Letter dated September 20, 1991 from the Regional Municipality of Hamilton-Wentworth regarding Regionalization of the Taxi Industry.

Referred to the Finance and Administration Committee.

5. Letter dated September 20, 1991 from the Secretary, Football Hall of Fame and Museum Management Committee respecting the Hall of Fames need for space in the Football Hall of Fame currently occupied by the Hamilton Press Club.

Referred to the Finance and Administration Committee.

6. Application dated August 29, 1991 from Elio Borchetta, Hamilton, Ontario for a modification to the established "B-1" (Suburban Agriculture and Residential, etc.) District regulations for No. 52 Heather Road, Hamilton, Ontario.

Received.

7. Application dated August 29, 1991 from Kids Care Oncology Central West (Ronald McDonald House), Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District for lands on the west side of Cootes Drive in the area north of Main Street West, Hamilton, Ontario.

Received.

8. Application dated August 29, 1991 from Anthony Charles Dabner and David Dennis Hill, Hamilton, Ontario for a modification to the established "K" (Heavy Industry, etc.) District regulations for No. 276 Sanford Avenue North, Hamilton, Ontario.

Received.

9. Application dated September 4, 1991 from Vedemo Construction Limited, Hamilton, Ontario for a modification to the "E-3" (High Density Multiple Dwellings) District for 131-133 Market Street, Hamilton, Ontario.

Received.

September 24, 1991

10. Application dated September 4, 1991 from 943937 Ontario Inc. (John L. LeCluse), Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District for 1489, 1491, 1493, 1495 Upper James Street, Hamilton, Ontario.

Received.

11. Application dated September 18, 1991 from Peter Georgakopoulos, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District for 1050 Rymal Road East, Hamilton, Ontario.

Received.

12. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-142 regarding property at 64 Ewen Road, Hamilton, Ontario.

Received.

13. Letter dated September 10, 1991 from Mr. K. E. Avery, City Clerk respecting an objection to By-law 91-144 regarding property at 402 Upper Wentworth Street, Hamilton, Ontario (formerly Inverness Public School).

Received.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Hinkley that Rule No. 8 be invoked for this meeting of City Council to permit consideration of a motion respecting a vote concerning the Jamesville B.I.A. on October 9, 1991.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

CARRIED.

September 24, 1991

It was moved by Alderman Agro and seconded by Alderman Hinkley:

WHEREAS the merchants of Jamesville have taken up two petitions both expressing the abolition of the Jamesville B.I.A. and

WHEREAS the petitions are signed by a large majority of the Jamesville B.I.A. membership,

THEREFORE BE IT RESOLVED that a democratic vote be held on Wednesday, October 9, 1991 from 5:00 p.m. to 8:00 p.m. and that the vote be conducted by the City Clerk's Department in conjunction with the Community Development Department and that there be no submissions from either the proponents of the B.I.A. nor the opponents of the B.I.A. and that there be no politicking nor soliciting of votes by anyone near the polling station,

AND FURTHER that each side be allowed only one scrutinizer to check the votes with the City Clerk's Department, and

BE IT RESOLVED that the City Council abide by the wishes of the majority.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project and the Finance and Administration Committee, with Alderman Murray in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT

Re: Section 13 - Two Hour Parking Time Limit - Glencarry Avenue

It was moved by Alderman Merling and seconded by Alderman Gallagher that Section 13, Subsection (a) ii of the Thirteenth Report of the Transport and Environment Committee for 1991 be amended by deleting the word "One" after the words "be replaced with a" in the fourth line and by inserting in its place the word "Two". **CARRIED.**

* * * * *

PARKS AND RECREATION COMMITTEE - SEVENTEENTH REPORT

Section 1 Re: Permission to sell beer at Globe Park - Clancy's Five Baseball Team

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 6 Re: Contract - Chamberlain Architect Services Limited - Renovations to Huntington Park Recreation Centre/Renovations and Addition.

It was moved by Alderman Gallagher and seconded by Alderman Merling that section 6 of the Seventeenth Report of the Parks and Recreation Committee be referred back.

Recorded vote.

YEAS: Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Merling, Gallagher, Murray, Ross. - 10.

NAYS: Aldermen Cooke, Hinkley, Wilson, Agostino, Formosi, Jackson. -6. **CARRIED.**

* * * * *

September 24, 1991

PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT

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PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

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INFORMATION SYSTEMS COMMITTEE - FIFTH REPORT

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REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER THE HAMILTON-SCOURGE PROJECT - FIRST REPORT

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FINANCE AND ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

Section 1 Re: Canadian Association of Taxicab Regulatory Administrators Conference - Ottawa.

It was moved by Alderman Drury and seconded by Alderman Lombardo that Section 1 of the Seventeenth Report of the Finance and Administration Committee be amended by deleting the following words from the first line "Alderman D. Drury, Chairman, Taxi Advisory Committee, and". **CARRIED.**

* * * * *

Section 14 Re: Lease - Hamilton Press Club - 50 Jackson Street West

Alderman D. Drury declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Drury is a member of the Hamilton Press Club.

It was moved by Alderman Kiss and seconded by Alderman Merling that section 14 of the Seventeenth Report of the Finance and Administration Committee be referred back with instruction that the Director of Property, City Treasurer and City Solicitor prepare full and complete written reports to be made available to all members of City Council and that all members of City Council be notified of the date, time and place of the meeting.

September 24, 1991

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Copps, Wilson, Lombardo, Formosi, Jackson, Merling, Murray. -10.

NAYS: Aldermen Agro, McCulloch, Hinkley, Agostino, Ross. - 5.

CARRIED.

* * * * *

Section 21 Re: Lease - Hamilton Municipal Employees' Credit Union - 50 Jackson St. W.

It was moved by Alderman Copps and seconded by Alderman Lombardo that Section 21 of the Seventeenth Report of the Finance and Administration Committee be referred back.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Section 25 Re: By-law 84-235: By-law to regulate Premises Providing Adult Magazines etc.

It was moved by Alderman Gallagher and seconded by Alderman Murray that Section 25 of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Sub-section (a) in its entirety and replacing it with the following Sub-section (a):

"That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and"

CARRIED.

* * * * *

September 24, 1991

Section 32(b) Introduction of Bill H-42. - By-law Respecting Smoking in Public Places.

Alderman T. Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns and operates a coffee shop.

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It was moved by Alderman Kiss and seconded by Alderman McCulloch that Alderman T. Cooke be appointed Acting Mayor for the month of October, 1991. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, Report of the Special Committee to Administer the Hamilton-Scourge Project, the Finance and Administration Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0.

CARRIED.

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NOTICE OF MOTION FROM PREVIOUS MEETING

It was moved by Alderman Murray and seconded by Alderman Merling

"that City Council petition the Government of Canada to reinstate capital punishment for pre-meditated murder."

Alderman Ross moved that the question be put, following which debate ensued.

September 24, 1991

Recorded vote on putting the question.

YEAS: Aldermen McCulloch, Jackson, Merling, Ross. -4.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Gallagher. -11. **LOST.**

Recorded vote on Motion by Alderman Murray.

YEAS: Aldermen McCulloch, Drury, Copps, Formosi, Jackson, Merling, Gallagher, Murray, Ross. - 9.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Hinkley, Wilson, Agostino, Lombardo. -7. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0. **CARRIED.**

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September 24, 1991

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Murray in the chair. (second reading).

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42, H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

Bill H-42 Section 3 Re: Hairdressing parlours, barbershops, etc.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo. -9.

NAYS: Mayor Morrow, Aldermen Drury, Formosi, Merling, Gallagher, Murray, Ross. -7.
CARRIED.

* * * * *

Bill H- 42 Section 9 Re: Restaurants.

It was moved by Alderman Ross and seconded by Alderman Gallagher

That Section 9, Sub-section 2 of Bill H-42 as referred to in Section 32, Subsection (b) of the Seventeenth Report of the Finance and Administration Committee for 1991 be amended by deleting Section 9, Subsection 2 in its entirety and replacing it with the following:

- "(2) (a) Subject to the Fire Marshals Act, the proprietor of a restaurant having 45 seats or more for customer seating may designate not more than 50% of the eating area for the purpose of smoking.
- (b) Subject to the Fire Marshals Act, the proprietor of a restaurant having 44 seats or fewer for customer seating may designate not more than 70% of the eating area for the purpose of smoking."

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8.

NAYS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. - 8.
LOST.

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Bill H-42 Section 10 Re: Bars, Lounges and Taverns

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino. - 8.

NAYS: Mayor Morrow, Aldermen Drury, Lombardo, Formosi, Merling, Gallagher, Murray, Ross. - 8.
LOST.

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September 24, 1991

Recorded vote on Bill H-42 (All sections except 3 and 10)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Ross. - 12.

NAYS: Aldermen Formosi, Merling, Gallagher, Murray. - 4. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-58, A-59, A-60, A-61, A-62, A-63.

C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73.

H-41, H-42 (as amended), H-43.

September 24, 1991

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Merling, Murray, Ross. -15.

NAYS: -0.

CARRIED.

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City Council then adjourned at 10:10 o'clock p.m.

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CORRESPONDENCE

Correspondence:

1. Application dated September 30, 1991 from Wilma Faille, Hamilton, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 53 Birchview Drive, Hamilton, Ontario.

Recommendation:

Be Received.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. (a) That Golf Links Road at the west City limits be closed by the construction of a cul-de-sac.
- (b) That the appropriate By-Law to carry out the foregoing be enacted by Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
2. (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-Law to stop up, close and retain the road allowance of Elgin Street, from 90m North of Wilson Street to 45m South of Cannon Street, and Kelly Street, from 55m East of Mary Street to 60m West of Ferguson Avenue;
- (b) That the Commissioner of Transportation/Environmental Services, on behalf of the City, prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowances are to be included in the proposed Beasley Park;
- (c) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act;
- (d) That the City of Hamilton provide a 6m easement to the Region for the existing 150mm watermain, 300mm and 375mm combined sewers in the proposed closure area;
- (e) That the City of Hamilton provide a 1m easement to Union Gas for their underground plant;

- (f) That the City of Hamilton provide a 6m easement to Hamilton Hydro-Electric System for a duct run on Elgin Street with a provision for a second duct run at a later date, and for a major distribution line and truck access to a manhole at the intersection of Kelly and Elgin Streets;
 - (g) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law pursuant to Section 301 of the Municipal Act, R.S.O 1980;
 - (h) That the City of Hamilton provide an access for Ontario Hydro to their Transformer Station from Elgin Street;
 - (i) That the City of Hamilton provide a 3m easement to Bell Canada for their underground plant;
 - (j) That the funds received from Lockwood Motors for the sale of a portion of the alley and the contribution toward the cost of the solid wood fence along the closed alley be deposited in Account CF 5698-429002003 (Central/Beasley PRIDE).
3. (a) i. That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order to stop-up, close and sell the easterly 1.0m x 20.0m of the public unassumed north/south alleyway adjacent to #73 Murray Street;
- ii. That the Commissioner of Transportation/Environmental Services be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- iii. That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- iv. That the Applicant register a reference plan under The Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the closed portion is to be distributed to the abutting owner and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;
- v. That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant

to Section 48 of the Regional Municipality of Hamilton-Wentworth Act;

- vi. That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owner.

(b) Provided the Judge's Order to close the highway is granted:

- i. That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law for the sale of the closed alleyway to the abutting owner;
- ii. That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.

4. That the appropriation in the capital budget for the development of the New Traffic Operations Centre, 1375 Upper Ottawa Street be reduced by \$650,000.00 from \$6,830,000.00 to \$6,180,000.00.

5. (a) That an Option to Purchase executed by Janko Vranesvic and Saveta Vranesevic on September 6, 1991 and scheduled for closing on or before November 29, 1991 for the purchase of part of the property at 1276 Upper James Street, required for the extension of Forbes Avenue in the Blossom Estates Subdivision, be approved and completed. The subject parcel contains 2,789 square feet (0.064 acre) more or less, and is shown as Part 4 on Plan 62R-10161. The purchase price of \$2.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands - Transportation Capital) in which sufficient funds are available to finalize this transaction.

(b) That consideration in the amount of \$2.00 has been paid to the owners.

6. That the West Central Branch of the Ontario Ministry of the Environment (MOE) be advised that the City of Hamilton has no objection to Harbour Front Recycling Inc. establishing the proposed waste disposal (processing) site at 1505 Burlington Street East in Hamilton provided that:

- (a) all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-Laws are complied with fully;

- (b) Harbour Front Inc. submit a plan of action, outlining how they will ensure that only waste generated in the Region of Hamilton-Wentworth is disposed of at this Region's transfer stations. This should include a list of alternate disposal sites which will be utilized for wastes that were generated outside the Region.
- 7.
- (a) That the City Treasurer be authorized and directed to pay engineering fees in the estimated amount of \$5,500.00 to A. J. Clarke and Associates Limited, whose services were retained by the City for the design of City municipal services on Fieldway Drive, Millwood Place and an adjoining public walkway in Hamilton;
 - (b) That the cost for the construction of municipal services on Fieldway Drive, Millwood Place and the public walkway (estimated at \$161,219.00) be approved;
 - (c) That the Finance and Administration Committee recommend the source of funding for the engineering fees and the costs related to the construction of works (totalling \$166,719.00).
- 8.
- (a) That the submitted schedule of works, be adopted for inclusion in the Subdivision Agreements with the Owners, for the estimated cost of services in:
 - i. HARBOTTLE ESTATES - PHASE 1, Hamilton
City's Share \$26,993.68, Owner's Share \$135,513.85
 - ii. ORCHARD PARK ESTATES - PHASE 1, Hamilton
City's Share \$223,424.00, Owner's Share \$251,723.00
 - (b) That the Mayor and the City Clerk be authorized and directed to execute the proposed subdivision agreements between the City and the Owners of Harbottle Estates - Phase 1 and Orchard Park Estates - Phase 1, Subdivisions.
 - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the final plans and Subdivision agreements have been registered.
 - (d) That in the event the subdividers wish to proceed prior to the registration of the Final Plans, they should be permitted to do so at their own risk, provided that they enter into a standard agreement for pre-servicing.

- (e) That the City Solicitor be authorized and directed to prepare the necessary By-Law(s) to establish Parts 14 and 15 of Reference Plan 62R-6964 as part of the Chester Avenue road allowance in order to provide road access to Orchard Park Estates - Phase 1 Subdivision.
 - (f) That City of Hamilton grant a twelve (12) metre wide sewer easement to the Region over Parts 3 and 7 of Plan 62R-11417 in order to provide a sewer connection between a future residential development to the west and the Orchard Park Estates Subdivision, to the east, and that the Mayor and City Clerk be authorized and directed to execute the necessary documents.
 - (g) That the City Solicitor be directed to prepare the necessary documents to transfer the sewer easement to the Region.
9. That the applications to retain inadvertent encroachments and install temporary encroachments at the locations outlined on Schedule "A", appended hereto, be approved during the pleasure of Council provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
 - (c) That the first year fee and subsequent annual fee outlined in Schedule "A" be set for these encroachments.
10. (a) That the City lands known as:
- i. Parts 1 & 2, Plan 62R-11902 be incorporated into Donn Avenue
 - ii. Parts 3, Plan 62R-11696 and
Part 5, Plan 62R-11902 be incorporated into Berkindale Avenue
- (b) That the appropriate By-Laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.

11. That City Traffic By-Law 89-72 be amended as follows:

- (a) That in conjunction with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Albany Avenue between Kenilworth Avenue North and Robins Avenue;
- (b) That parking be prohibited on the west side of Undercliffe Avenue between Aberdeen Avenue and a point 197 feet southerly therefrom;
- (c) That parking be prohibited on the west side of East 6th Street commencing at Empress Avenue and extending to a point 103 feet southerly therefrom;
- (d) That the existing "Permit Parking" regulation on the south side of Harrison Avenue which commences 202 feet east of Kenilworth Avenue North and extends to a point 22 feet easterly therefrom, be removed;
- (e) That northbound traffic on Hanover Place (west leg) be required to stop for eastbound and westbound traffic on Hanover Place (north leg);
- (f) That three-way stop control be implemented at the intersection of Vanessa Court and Magnolia Drive;
- (g)
 - i. That southbound traffic on West 18th Street be required to stop for eastbound and westbound traffic on Lynbrook Drive;
 - ii. That northbound traffic on Elgan Avenue be required to stop for eastbound and westbound traffic on Lynbrook Drive;
 - iii. That southbound traffic on Southlea Drive be required to stop for eastbound and westbound traffic on Lynbrook Drive;
 - iv. That westbound traffic on Silvercrest Drive be required to stop for northbound and southbound traffic on Southlea Drive;
 - v. That eastbound traffic on Silvercrest Drive be required to stop for northbound and southbound traffic on Westmount Drive;
 - vi. That eastbound traffic on Bermuda Court be required to stop for northbound and southbound traffic on Mountbatten Drive;
 - vii. That northbound traffic on Sarasota Avenue be required to stop for eastbound and westbound traffic on Miami Drive;

- viii. That southbound traffic on Sarasoda Avenue be required to stop for eastbound and westbound traffic on Rolston Drive;
12. That a School Crossing Guard be assigned to the intersection of Quigley Road and Greenhill Avenue to cross children during the morning, lunch time, and evening crossing periods.
13. (a) That Queen Street continue to operate one-way southerly in the section north of Herkimer Street;
- (b) That the City Council request the Regional Council to prohibit northbound right turns from Queen Street to Aberdeen Avenue between the hours of 7:00 a.m. and 9:00 a.m., Monday to Friday;
- (c) That the effect of the prohibition of northbound left turns from James Street to Markland Avenue be monitored by the Director of Traffic Services.
- (d) That an eastbound advanced green light be implemented between the hours of 7:00 a.m. to 9:00 a.m. at the intersection of Locke Street and Aberdeen Avenue.
14. (a) That the form of pedestrian crossing protection known as "half-signal" be approved for use in Hamilton;
- (b) That the report from the Director of Traffic Services dated September 19, 1991 regarding Pedestrian Crossing Protection in Hamilton be forwarded to the Regional Council;
- (c) That the Council of the Regional Municipality of Hamilton-Wentworth be requested to approve the use of the "half-signal" in Hamilton-Wentworth;
- (d) That the Regional Council be requested to make formal application to the Minister of Transportation, Ontario to request a change in the Highway Traffic Act to make the use of half-signals legal in Ontario, or to allow a demonstration project in Hamilton-Wentworth;
- (e) That the Director of Traffic Services be directed to develop installation warrants and standards for the use of the half-signal;
- (f) That the Director of Traffic Services be directed to develop a program for the installation of half-signals in Hamilton-Wentworth.

15. (a) That the Chairman or his designate be authorized to attend the AMO Seminar - Municipalities and the Environment: Truth or Consequences to take place on Friday, October 18, 1991 in Toronto, Ontario.
- (b) That the costs for attendance be allocated to Alderman Travel Account No. CH55201-10010 from the 1991 Operating Budget.
16. That leave be granted to introduce the following Bills:
- (a) **Bill A-64** A By-law to Alter and Close a Portion of Golf Links Road.
- (b) **Bill A-65** A By-law to Incorporate Parts 1 & 2, Plan 62R-11902 into Donn Avenue.
- (c) **Bill A-66** A By-law to Incorporate Part 3 on Plan 62R-11696, and Part 5 on Plan 62R-11902, into Berkindale Avenue.
- (d) **Bill A-67** A By-law to Amend By-law 89-72 to Regulate Traffic.
- (e) **Bill A-68** A By-law to Amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

October 8, 1991

Council Date: September 30, 1991

SCHEDULE 'A'

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
39 South Street Hamilton, Ont.	2 sets of brick steps a) 12.17' X 5.00' b) 6.65' X 12.17' and a retaining wall 0.93' X 5.00'	Dr. John Turnbull 39 South Street Hamilton, Ontario L8P 2W2	\$112.00/20.00	T103-50(920)
200 MacNab Street North Hamilton, Ont.	Wood Steps measuring 1.18' x 3.12'	Yachetti, Lanza & Restivo Box 950 M.P.O. Hamilton, Ontario L8N 3P9	\$112.00/20.00	T103-50(939)
10 Fairleigh Avenue North Hamilton, Ontario	Concrete Steps measuring 1.75' X 4.0'	James D. McKeon 277 Wilson Street East Ancaster, Ontario L9G 3N6	\$112.00/20.00	T103-50 (963)
315 Centennial Parkway North	Landscaping measuring 3.05 m X 21.34 m	Select Site Properties 65 East Mall, Ste 204 Etobicoke, Ontario M8Z 5W3	\$112.00/20.00	T103-50 (964)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its NINETEENTH Report for 1991 and respectfully recommends:

1. That the Director of Culture and Recreation be authorized to waive green fees at King's Forest and Chedoke Golf Courses during the Ontario Provincial Senior Games - Actifest '92 scheduled to take place on Tuesday, 1992 August 25 and Wednesday, 1992 August 26.
2. That the Allan Studholme Plaque be located in the south east corner of Woodlands Park facing Barton Street and adjacent to the main walkway.
3.
 - (a) That approval be given to enter into a contract with Chamberlain Architect Services Limited of Burlington, Ontario, as the Prime Consultant for the Huntington Park Recreation Centre/Renovations and Addition. The contract amount will be \$237,500.00 - two hundred and thirty-seven thousand, five hundred dollars.
 - (b) That a contract satisfactory to the City Solicitor be entered into between the City and the Prime Consultant, Chamberlain Architect.
 - (c) That the Mayor and the City Clerk execute the contract on behalf of the City.
4. That the Director of Public Works be authorized to undertake remedial works in Andy Warburton Park utilizing a portion of the 1991 funding previously approved for the development of Leaside Park, Account No. CF5255 629154004.

5. (a) That the criteria for Hamilton Special Events attached hereto as Appendix "A" be adopted, for a one year trial period, to include:
- i. An application process requiring a description, the preferred location and the funding outline of the event.
 - ii. The approval process for all operational, health and safety regulations required by the event organizer.
 - iii. The cost recovery plan for all auxiliary services provided by City, Region and other agencies.
 - iv. The liability insurance coverage to be purchased from the City's user group policy.
- (b) That a Special Events Permitting Fee be adopted according to the following schedule:
- | | |
|------------|---|
| Category 1 | Festivals held over two or more days
fee: \$100.00 per day |
| Category 2 | Community Events of one day duration
fee: \$ 20.00 per day |
| Category 3 | Sports Events in both multi or single sport programs
fee: according to rental policy |
- (c) That the Finance and Administration Committee be requested to transfer the base budget of the on-going/annual special events to the Events - Current Budget of Culture and Recreation, administered by the Special Events Co-ordinator.
- (d) That the Parks and Recreation Committee appoint a Special Events Task Force effective January 1 of each year to review the Hamilton Special Events criteria and fees.

6.
 - (a) That the Director of Property be authorized to proceed with the acquisition of the property known as 25 Tecumseh Street, adjacent to the grounds of Dundurn Castle, which originally was Sir Allan MacNab's Gardener's Cottage.
 - (b) That the City Treasurer be requested to prepare a recommendation to the Finance and Administration Committee to recommend the method of financing, for an amount not to exceed \$175,000.00.
7.
 - (a) That an Offer to Purchase executed by James and Melanie Warr on 1991 September 19 and scheduled for closing on or before 1991 December 5, for the purchase of a portion of park property, more particularly described as Part 1, Registered Plan 62R-11833, having a frontage along the easterly limit of Spruceside Avenue of 0.829 metre (2.71 feet) more or less, by a depth of 23.52 metres (77.17 feet) more or less, and consisting of a total area of 22.9 square metres (246.0 square feet) more or less, be accepted and completed. The purchase price of \$8,300.00 be credited to the following accounts: Account No. CH4X501 00201 (Reserve for Parklands) \$7,700.00 and Account No. 45027 401 340 (Recoverable Services - Surveys) \$600.00.
 - (b) That a deposit cheque in the amount of \$830.00 be retained by the City Treasurer pending this Agreement.
 - (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documentation.
8.
 - (a) That the Mayor and City Clerk be authorized to execute an amending agreement for the purchase of a six (6) acre arena site from Chedoke Health Corporation.
 - (b) That the amended Option to Purchase Agreement will include the same terms of the original Option to Purchase Agreement approved by City Council on 1990 November 13 subject to the following changes:
 - i. The Chedoke Health Corporation agrees to grant at no cost to the City of Hamilton, in addition to the six (6) acre arena site, parts 26-29 on a Plan dated 1991 September 12 as prepared by A. J. Clarke and Associates (Plan T-1220-D).

- ii. That the City of Hamilton will incorporate by by-law, the aforementioned parts into the public highway system immediately upon delivery and registration of the deeds therefor to the City.
- iii. That the construction of the said lands into a travelled highway will take place no later than the opening of the Arena.

Respectfully Submitted,

K. C. Christenson
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1991 October 1

Corporation of the City of Hamilton
Parks and Recreation Committee
CRITERIA FOR SPECIAL EVENTS

Appendix "A" as referred to in
Section 5 of the NINETEENTH
Report of the Parks and
Recreation Committee

PURPOSE

The criteria for Special Events has been developed to provide fair and equitable regulations for all special events. Organizers requesting approvals to operate special events within municipal jurisdiction and on municipal land would be required to be governed by the policy paper and all other city regulations.

PROCEDURES & GUIDELINES

(A) PROCESS

The procedural process commences with the completion of a special event application form, submitted to the Culture and Recreation Department Office three months prior to the event.

Similarly, a grant request must be submitted to the Treasury Department should municipal funds be required to organize and operate the program by January 1st or the published grant cut-off date.

Applications for street closures and parades are made at the Police Department to receive Transportation and Environment Committee or Regional approval.

Event organizers are requested to submit a letter of intent which defines the goals of the special events and the level of financial support anticipated for the special events success. This should include any contribution requested from the City of Hamilton or Regional of Hamilton Wentworth. A clear financial forecast and budget process must be demonstrated.

Event Organizers requesting access to a, "Historically Recognized Area", must clearly show how the event will be regulated and will contribute to the historical interpretation of Hamilton and its people. Such requests must compliment the public access to the area and in no way impede visitation to the historical site.

As outlined further in this report the Hamilton Historical Board will review all applications and letters of intent requesting the use of a, "Historically Recognized Area."

The Department of Culture and Recreation - Special Event Co-ordinator will process the application and submit to the Special Events Advisory Team (S.E.A.T.). This team is comprised of representative staff members equipped to provide advice on all aspects of city or regional requirements for any and all special events. One representative is requested from the following authorities:

Parks Division of Public Works
Police Department
Hamilton Street Railway
Traffic

Fire Department
Health Department
Noise Control

Treasury
Engineering
Hydro

- With other agencies available for jurisdictional needs.

A meeting of the event organizer with S.E.A.T. may be necessary depending on the complexity of the proposal but will provide "one stop" information for staging the event.

The Event Organizers are requested to meet all S.E.A.T. requirements (90) ninety days prior to the event in order for a positive recommendation to be forwarded to the Parks and Recreation Committee for approval. The Director of Culture and Recreation will provide in this recommendation sufficient information for the Committee to appreciate the broad scale impact, the problems and the plus factors in the background perspective. Similarly, the Commissioner of Transportation and Environment Services will advise at the regional level.

Smaller events with limited impact to the surrounding community and not requiring licences or registration will be provided as Information Reports to the Committee.

Performers and entertainment program must be submitted to the Director of Culture and Recreation (30) thirty days prior to the event, for circulation to sub-committees.

A representative on the S.E.A.T. Committee is required to ensure their respective department requirements can be met by the organizers. Approval/Non-Approvals will be communicated to the event organizer prior to a recommendation being processed to Committee and Council.

(B) COVERAGE/COSTS

Public Liability Coverage of \$2 million dollars may be required for events requiring risk management. The City of Hamilton USER GROUP POLICY will be extended to list the event organizers who will pay the premium fee for this inclusion. This fee will be determined by the level of the event and such factors as liquor permits and risk. There will be a variance between non-profit/community organizations and profit/commercial operations.

An application and administrative fee according to Council approved schedule will be the responsibility of the applicant. The applicant will also be advised of additional applicable fees incurred by other Departments to safely stage the event. The additional applicable fees may be:

- Rental/Administrative Charges
- Policing Fees (Officers)
- Inspection Fees (Hydro, Noise, Fire)
- Security Costs
- Hamilton Street Railway Re-Routing - Signage Costs, Additional Buses, Inspectors, And Advertising
- Site Charges - Labour/Set-Up; Clean-Up Charges

- Unless provided for by the departmental budget process.

In the case of the events that have not performed under sound fiscal management, the S.E.A.T. Committee will recommend advance payments.

All event organizers will be provided with event costs estimates three months prior to the event.

All conditions must be met before a support recommendation will be processed and where outstanding charges from a previous year have not been discharged, a supportive recommendation will not be issued. These conditions include meeting year end accounting and financial statements required by the City Treasurer.

(C) VENUES

Event Organizers may request a desired location for the event and will be required to ensure that this location provide amenities for public health and safety priorities.

These priorities are:

- Park Size and Designation
- Parking and Hamilton Street Railway Accessibility
- Hydro, Water, Washrooms

SPECIAL CONSIDERATIONS

Park sites will be given designations which comply with neighbourhood, community or city wide usages.

Considerations will be given in determining if the special event fits the site designation.

FURTHER

Any park site with historical designation or recognition will be reviewed by the Hamilton Historical Board in a forum including a report from the Director of Culture and Recreation which will require approval by the Parks and Recreation Committee.

All site plans must be prepared to provide:

- Emergency Vehicle Access
- Medical Facilities Access
- Communication Facilities
- Signage and Equipment

These procedural guidelines are developed to improve the terms and conditions to facilitate the event organizers in providing a better more responsive special events serving the citizens of tourists to the City of Hamilton.

SPECIAL EVENTS CATEGORIES

Definitions

- (1) **Category One Special Events** are principally festivals of the Arts/Culture which showcase programming for city residents and tourists. Non-municipal revenues may be derived from parking, sales of food, refreshments, arts, crafts and souvenirs. Entertainment is provided as a consequence of the revenue/fundraising.

A non-profit independent board/committee structure is preferred to be in place to manage the operation of the special event in a park setting. Where civic funds are provided, a staff liaison will be kept informed on all planning and operation issues.

- (2) **Category Two Special Events** are principally community celebrations with a focus related to Recreation, Heritage, and Community Pride programming. Revenue is limited or non-existent. The organization will involve a citizens group and municipal staff.

- (3) **Category Three Special Events** are principally competitive games and sports. Revenue may be admissions and sales. The organization will be undertaken by a recognized civic sport club, agency, council of the municipality.

Further interpretation and assistance with a request to hold a special event may be obtained from the Special Events Co-ordinator of the Department of Culture and Recreation.

Any recommendations and suggestions to improve and upgrade these guidelines may be forwarded to the Director of Culture and Recreation, attention of the Special Events Co-ordinator.

MUNICIPALITY	ALCOHOL PERMITTED IN PARKS	GUIDELINES WITH ALCOHOL	DESIGNATED PARKS	DEPOSIT/FEEs	CLEAN-UP	BD. OF HEALTH
Guelph	No (except for ball tournaments)	Washrooms, fenced in, security	Only one park (located in residential area)	Deposit-none Rental-\$25-\$41 (depending on size) Fees-anything City sets up	City cleans (cost included in rental fee)	Organization makes contact
Halton Hills	Yes (need Council approval, and meet City's checklist)	Enclosed, wash- rooms, security	Specific Parks -criteria are residents, hydro, water and washroom proximities	Deposit-up to \$5000 (depends on event) Rental-with admis- sion fees \$350-\$600/day (depending on affiliation, residency) -no admission fees: \$60 - \$120 Fees-delivery of any rentals (tables, etc.)	Org. must clean up, if they don't. City will deduct amount from deposit	Organization makes contact
Hamilton	Yes (require Council resolu- tion)	Normal LCBO standards and City requires public liability	Few parks (due to size and distance from residents). One park has pavillion (prefer groups with alcohol)	Deposit-none Rental-\$3 for permit Fees-Org. charged for set-up of tables, snow- fencing, etc.	Org. is respon- sible, if not done, charged for City's time	Org. must make contact
Kingston	No	--	Depending on group size, go to the appro- priate park for their needs	Deposit-none Rental-none Fee-\$50/hour clean up charge	Org. is respon- sible, if not done, charged for City's time	Org. must make contact

MUNICIPALITY	ALCOHOL PERMITTED IN PARKS	GUIDELINES WITH ALCOHOL	DESIGNATED PARKS	DEPOSIT/FEEES	CLEAN-UP	BD. OF HEALTH
Kitchener	Yes (need liquor permit and \$100 over the rental fee)	Fenced in, washrooms, volunteer police	Victoria Park (due to its size)	Deposit- none Rental -1/2 day - \$61 park and building -full day - \$122 park and building -small area \$50	City cleans up and bill Org.	Organization makes contact
London	Yes	-Normal LCBO rules -City hires an attendant to make sure licence guidelines are followed	Must be away from residential areas	Deposit-\$1000 performance bond Rental-businesses charged 12 1/2% levy Fee-all expenses are deducted from bond	Organization is responsible If City does it, it takes it out of the bond	Organization makes contact
Mississauga	Yes (liquor permit and special event permit)	-snowfencing, insurance -Org. must contact the police	-only in large parks -if alcohol use, fenced in parks or away from residents	Deposit-\$10 for key that opens hydro, water and bbq's Rental-none	The City is responsible for clean-up	Organization makes contact
Niagara Falls	Yes (liquor licence, Council approval, Parks and Rec approval)	enclosed, snowfencing, washrooms, security, water	For alcohol, try and stay away from residence	Deposit- none Rental- none Fee-maintenance fee of other facilities required (eg. ball diamond)	-Organization is responsible -if City cleans up the Org. is billed	Organization makes contact
North York	Yes (needs Council approval 90 days before)	LCBO guidelines and Org. needs to get security	1 park only due to its size	Deposit- none Rental- flat rate of \$300 (covers hydro, water fencing, etc.)	-Organization is responsible -if not, City will clean up and bill them	-Org. makes contact -if joint venture with the City, City will make contact

MUNICIPALITY	ALCOHOL PERMITTED IN PARKS	GUIDELINES WITH ALCOHOL	DESIGNATED PARKS	DEPOSIT/FEEES	CLEAN UP	BD. OF HEALTH
Oshawa	Yes (Org. must apply 3 months in advance, get O.K. from Community Service Committee)	Enclosed, washrooms, insurance policy	With alcohol, only parks that are fenced in	Deposit-with alcohol \$100 clean up (non-refundable) Rental-10% of net profit Free-\$15/day for hydro	Organization responsible, if not done, charged for City's time	-Organization must contact board
Ottawa	No (except extreme cases)-need a special occasion permit	Standard LCBO requirements	Specific parks depending on the size of the group	Deposit-none Rental-\$2.50/parking-space Free-any extra expenses	City does usual clean-up, anything extra charged to the Organization	City contacts the Board, and tells them name and phone number of the organization
Sarnia	No (exception is baseball tournament)	Picnics allowed in specific parks (no alcohol in picnic areas)	Deposit-none Rental-\$12.50 Free-for snowfencing, or other City maintenance	The Org. and City clean up (no charge to Org.)	Organization must make the contact	
St. Thomas	No	-only 2 parks suitable for picnic in the City -use covered pavillions	Deposit-none Rental-\$20 (this covers water and hydro found at every pavillion)	Org. is responsible, if they don't, City cleans it up in their daily routine. Note: only propane bbq's allowed (no charcoal)	Organization must make the contact	

MUNICIPALITY	ALCOHOL PERMITTED IN PARKS	GUIDELINES WITH ALCOHOL	DESIGNATED PARKS	DEPOSIT/FEEES	CLEAN-UP	BD. OF HEALTH
Waterloo	yes (copy of LCBO permit, million \$ liability, desig- nated driver policy)	Enclosed, washrooms, police, insurance	Use specific park (fenced in area, starting to construct a building)	Deposit-none Rental-none Fee-damage, extra clean-up	Organization responsible, if not done, charged for City's time	Organization makes contact
Windsor	Yes (need Council approval)	Windsor Beer Tent Operators/ Windsor Police Association Guidelines (ie. double snowfence, washrooms, security, etc.)	Specific parks (away from residences, prefer to use enclosed areas) Do not allow in picnic areas, or in small neigh- bourhood parks	Deposit-\$500 damage Rental -Charitable Group \$125/day -Non-Charitable Group \$300/day -Picnic Area \$20-\$22 Fee-labour and rental of equipment	Organization responsible, if they don't, City will clean and deduct money from damage deposit	Organization makes contact
Woodstock	Yes (need liquor permit)	Need to be fenced in or have tent, washrooms (No security required)	Use largest park, as it has 2 pavillions	Deposit-none Rental-with alcohol \$100 -without \$11	Organization is responsible, if not done, for charged for City's time	Organization makes contact

..JW:cf
(C:PRKSCHRT)

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FOURTEENTH** Report for 1991 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for 258 Beach Boulevard.
2. (a) That an Agreement by Owner to Accept Compensation for the property of 573667 Ontario Ltd. (Norman Ferguson, President), executed on 1991 August 19, and scheduled for closing on or before 1991 November 15, be accepted and completed. The subject property being Municipal Number 9 Gerrard Street, having a total frontage along the northern limit of Gerrard Street of 5.29 metres (19 feet) more or less, shown as Part 1 on Expropriation Plan No. 79838, together with all structures erected thereon. That the total compensation of \$41,900.66 along with all associated costs be charged to Account Number CF 55903 08750001 (Land Acquisition - Enclave Clearance Program) and that demolition of the structure at 9 Gerrard Street take place upon closing.

(b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
3. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 1060 Rymal Road East, Hamilton from the restrictive covenants to the City as contained in Instrument Number 207070 L.T. and 207071 L.T. registered on 1987 August 13, subject to the landscaping requirement of the site plan agreement between the owner and the municipality being satisfied prior to the release of said covenants.

4. (a) That the City Solicitor be directed to prepare a by-law to repeal By-laws 90-90 and 90-287 for presentation to City Council.
- (b) That the City Solicitor be directed to prepare a by-law to remove part-lot control from Lots 1, 2, 3, 5, 13, 53, 54, 55, 57, 62, 68, 69, 70, 73, 74, 75, Block 140 and Lots 78 - 138 inclusive of Registered Plan 62M-639, for presentation to City Council.
- (c) That the by-law take effect on the date of approval by the Regional Municipality of Hamilton-Wentworth.
- (d) That the Region be requested to approve the by-law removing part-lot control on the above-noted Lots, 1, 2, 3, 5, 13, 53, 54, 55, 57, 62, 68, 69, 70, 73, 74, 75, Block 140 and Lots 78-138 inclusive of Registered Plan 62M-639.
5. That a Designated Property Grant in the amount of one thousand, one hundred and sixty-five dollars (\$1,165.) be provided to Mrs. M. Gowling, 141 St. Clair Avenue, Hamilton.
6. That approval be given to Zoning Application 91-36, Shirley T. Young, owner, requesting a modification to the established "DE-3" (Multiple Dwellings) District regulations, to permit a two-family dwelling and a lodging house for 9 lodgers with two kitchens, for property located at 234 MacNab Street South, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10C of Zoning By-law No. 6593, a two-family dwelling and a lodging house for a maximum of nine lodgers with two kitchens, shall be permitted only within the existing building;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1248, and that the subject lands on Zoning District Maps W-5 and W-6 be notated S-1248;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-5 and W-6 for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

7. That Zoning Application 91-42, Henry A. Hader, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to permit the established four-family dwelling, on property located at 161 Delaware Avenue, as shown on the attached map marked as Appendix "B", be denied for the following reasons:
- (a) It is contrary to the intent of the Official Plan, in that it represents the introduction of a four-family dwelling into an area predominantly occupied by single-family and two-family dwellings and would contribute to an indiscriminate mix of housing types;
 - (b) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area;
 - (c) Approval of this application would be contrary to the intent of By-law 76-229 (St. Clair Neighbourhood Rezoning) which downzoned this area from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "C" (Urban Protected Residential, etc.) District, in effect, eliminating the potential for townhouses and permitting conversions to two-family dwellings only;
 - (d) It is contrary to recently adopted City Council policy on the "Housing Intensification Strategy" respecting Residential Conversions, in that the "C" District would only permit one accessory apartment as-of-right in all existing single-family dwellings.
8. That approval be given to Zoning Application 91-44, Catherine Marie Healey (Healey Hair Design), lessee, requesting a modification to the "C" (Urban Protected Residential, etc.) District regulations, to permit a hairdresser as a home occupation use, for property located at 126 Lilacside Drive, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) Notwithstanding paragraphs (f) and (h) of Section 2.(2) H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
 - (1.) It is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,

- (2.) There shall not be more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1249, and that the subject lands on Zoning District Map E-27 be notated S-1249;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-27 for presentation to City Council;
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 9. That approval be given to Zoning Application 91-45, James and Mary Miklos, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands for 5 single-family dwellings, for properties located at 1062 and 1088 Upper Paradise Road, as shown on the attached map marked as Appendix "D", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 10. That approval be given to Zoning Application 91-46, Christopher Pies Inc., prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, to permit a 2 storey retail office building and a one storey restaurant (Tim Hortons) to be developed in conjunction with the adjacent lands to the east, for the property located at 27 Rymal Road West, as shown on the attached map marked as Appendix "E", on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;

- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That a minimum 3.0 m wide landscaped planting strip and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly rear lot line;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1185a, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1185a;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
11. That approval be given to Zoning Application 90-74, Antonette Biggs, owner, requesting a modification to the "D" (Urban Protected Residential, One and Two-Family Dwellings, Townhouses, etc.) District regulations, to permit a two family dwelling, on property located at 49 Holly Avenue, as shown on the attached map marked as Appendix "F", on the following basis:
- (a) That the "D" (Urban Protected Residential, One and Two-Family Dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10 of Zoning By-law No. 6593, a two-family dwelling shall be permitted;
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1250, and that the subject lands on Zoning District Map E-52 be notated S-1250;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-52 for presentation to City Council;
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

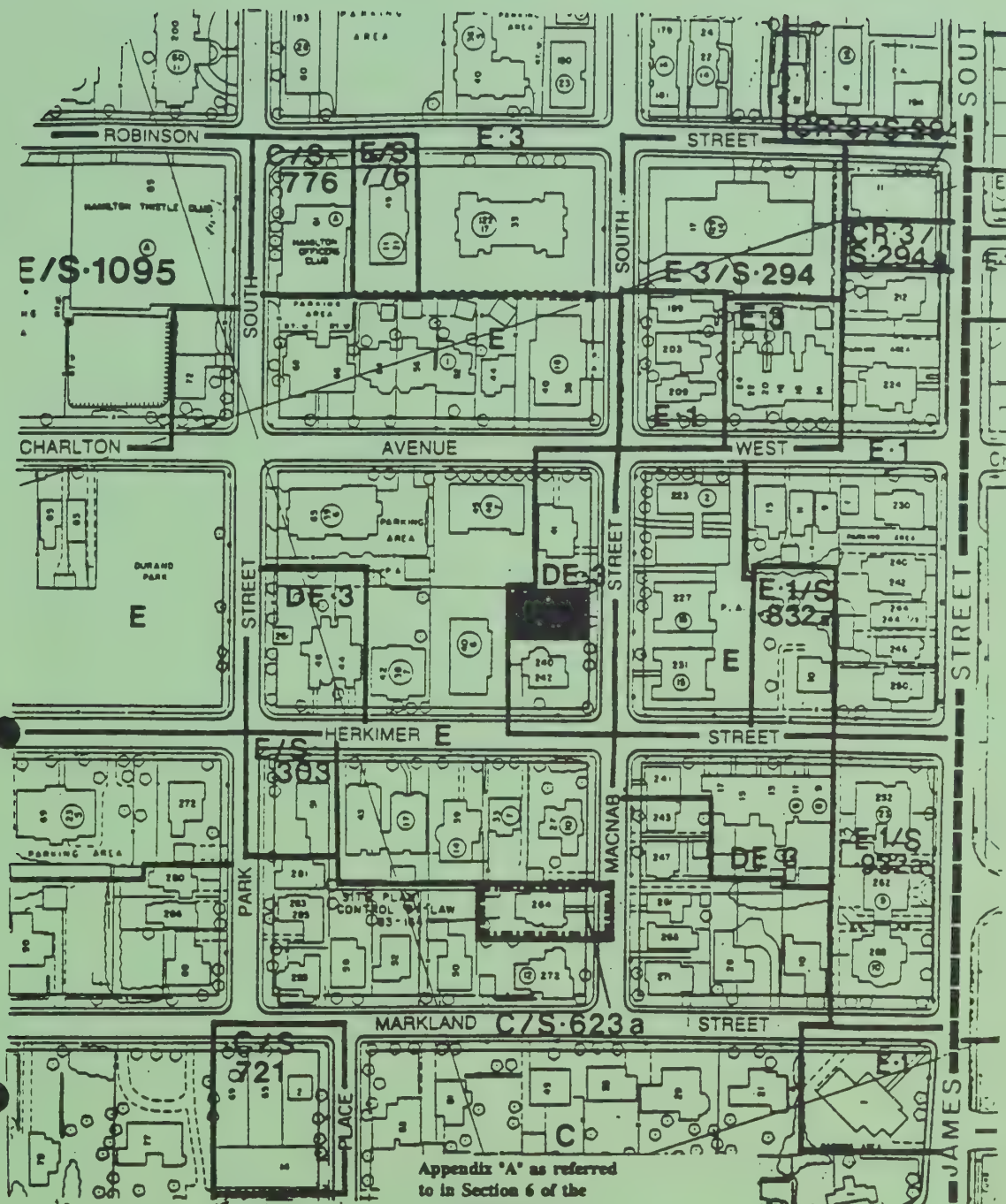
12. That leave be granted to introduce the following Bills:

- (a) Bill C-74 A By-law to designate land located at Municipal Nos. 69 Pearl Street North and 210-214 Napier Street as Property of Historic and Architectural Value and Interest.
- (b) Bill C-75 A By-law to adopt Official Plan Amendment No. 103 respecting lands located south of Strawberry Drive and east of Lake Avenue North (rear of 921 Queenston Road East) within the Riverdale East Neighbourhood.
- (c) Bill C-76 A By-law to amend Zoning By-law No. 6593 respecting lands located in the Red Hill Valley between the T. H. & B. Railway Tracks to the north and the proposed extension of Greenhill Avenue to the south.
- (d) Bill C-77 A By-law to remove part of "Lillian Heights - Phase 2" Registered Plan of Subdivision from Part-Lot Control.

Respectfully submitted,

ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts
Secretary
1991 October 2



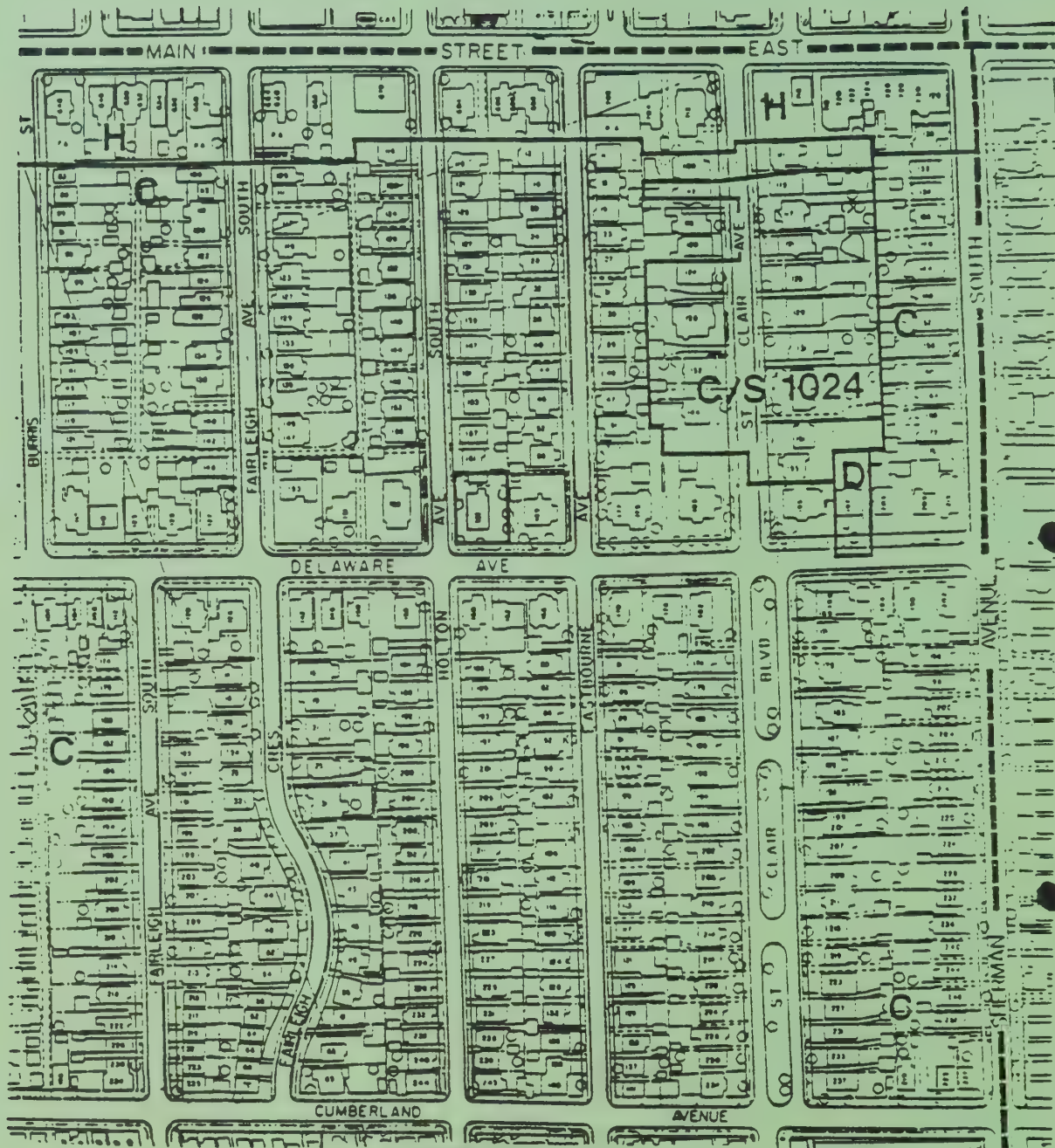
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Site of the Application

Appendix 'A' as referred
to in Section 6 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee



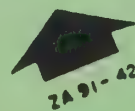


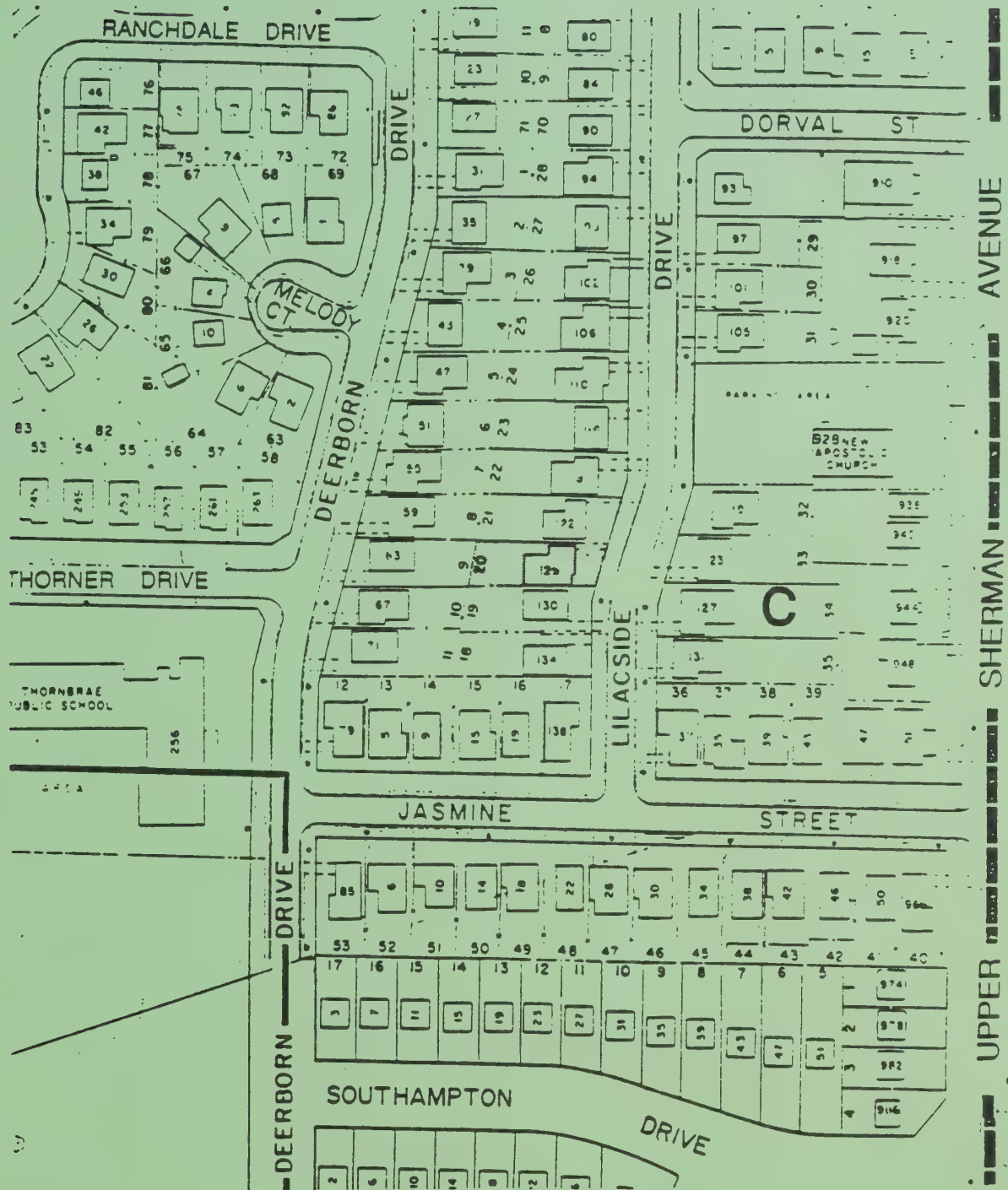
Appendix "B" as referred
to in Section 7 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee

LEGEND



SITE OF THE APPLICATION





Legend



Site of the Application

Appendix "C" as referred
to in Section 8 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee





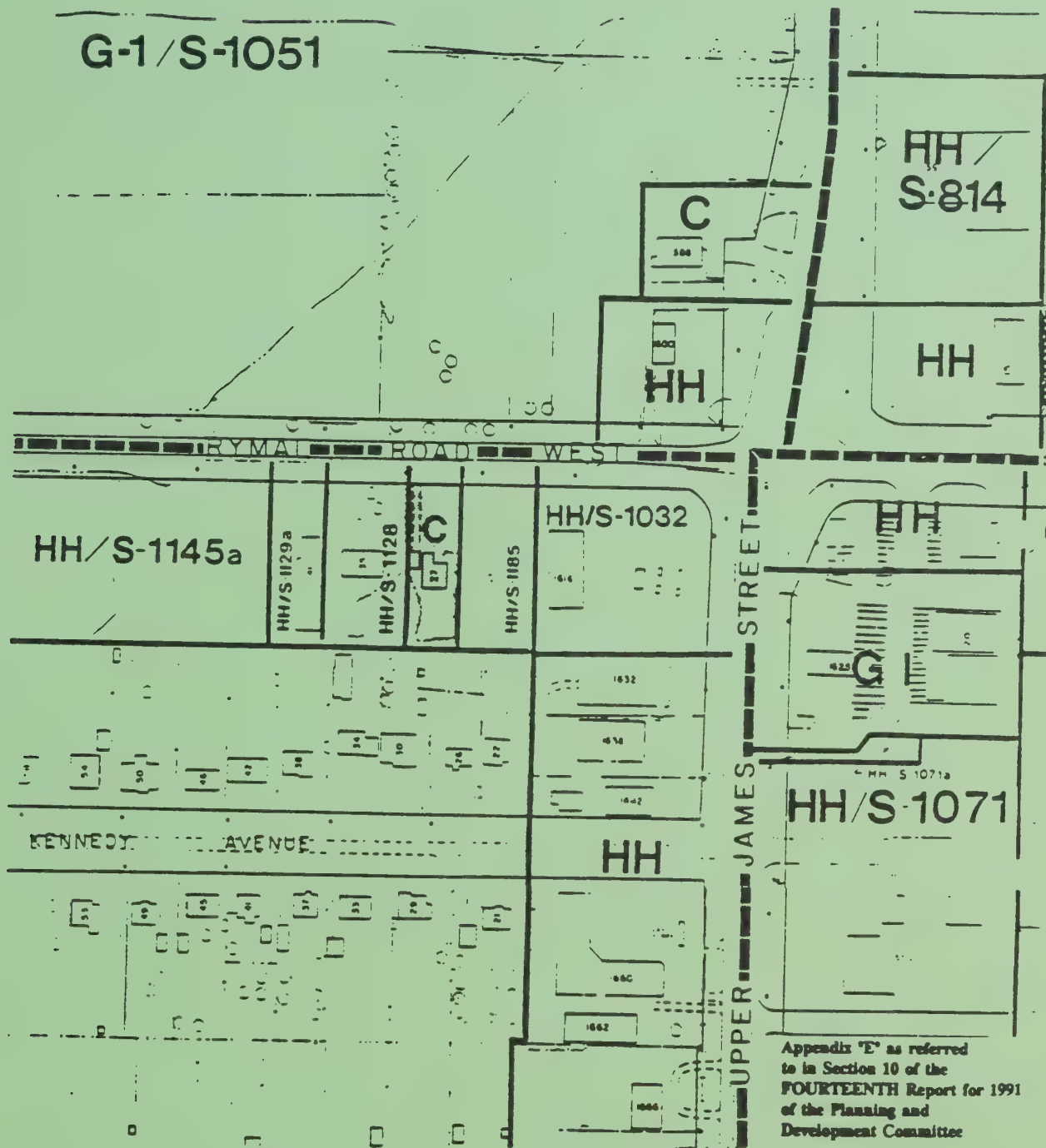
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Site of the Application

Appendix "D" as referred
to in Section 9 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee





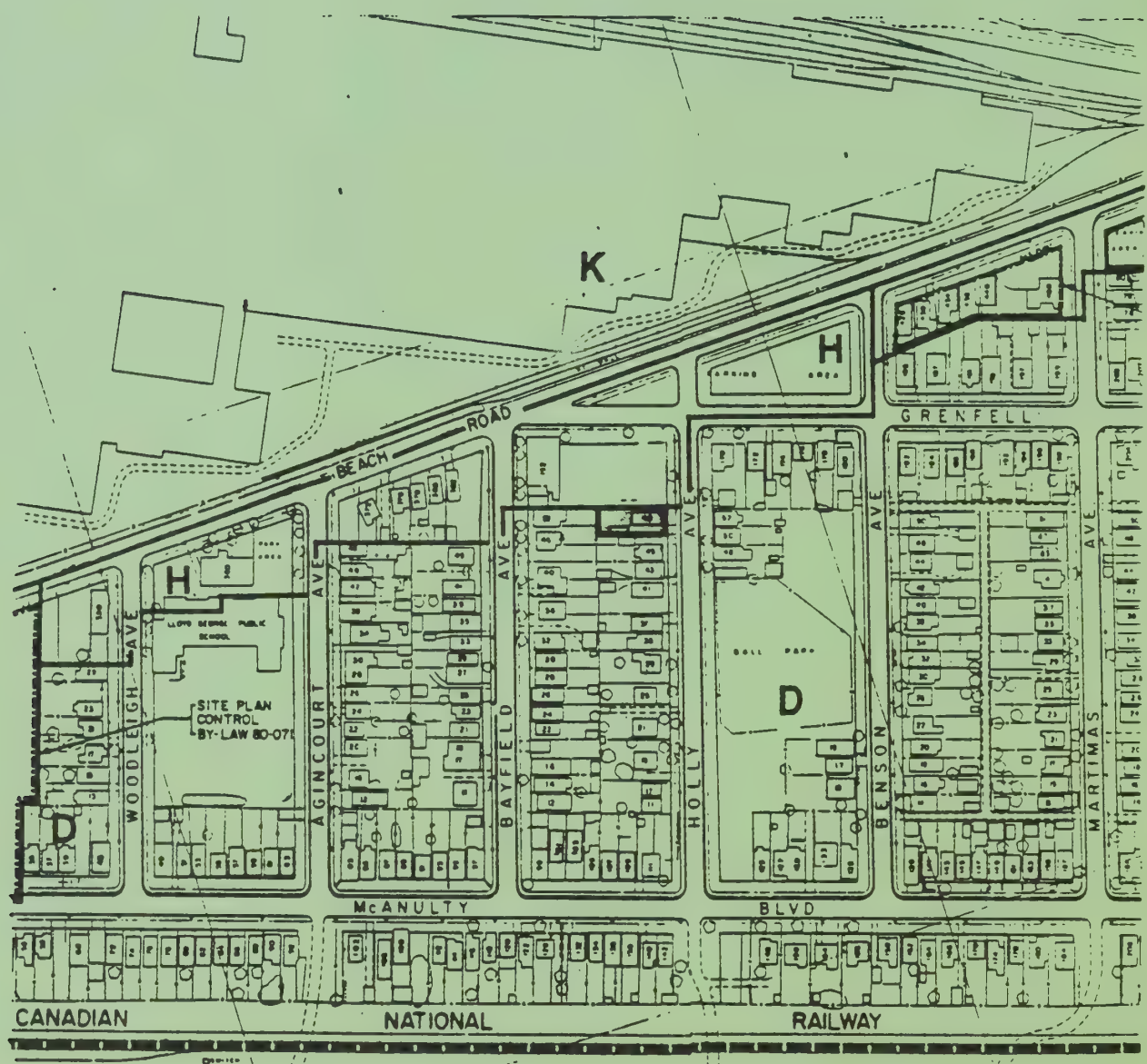
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Site of the Application



Appendix 'E' as referred
to in Section 10 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee



Appendix "F" as referred
to in Section 11 of the
FOURTEENTH Report for 1991
of the Planning and
Development Committee

Legend



Site of the Application



REPORT OF THE INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Information Systems Committee presents its **SIXTH** Report for 1991 and respectfully recommends:

1. (a) That IBM of Hamilton, provide leasing services in accordance with their proposal dated 1991 September 4. Lowest acceptable of seven leasing proposals received.

One 9121 Central Processor (replacing one 4381 and one 4341 processors) at \$26,309.00/month for 48 months (plus GST and PST) from Account No. CH56605 26020 (Equipment Leasing).

Three model 3390 Disk Drives and Communications Director (replacing 6, 3380E disk drives) at \$14,166.00/month (total) for 48 months (plus GST and PST from Account No. CH56605 26020 (Equipment Leasing).

- (b) That the Leasing Agreement be in a form satisfactory to the City of Hamilton Solicitor (The City of Hamilton is the Lessee).
- (c) That the term of the Agreement is to be to 1994 November 30, with an option in favour of the City to extend for the balance of the lease term.
- (d) That the City of Hamilton Mayor and Clerk be authorized to execute the Master Lease Agreement.

Respectfully Submitted,

**ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE**

**K. C. Christenson
Secretary
1991 October 4**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1991 and respectfully recommends:

1. That Civic Silver Pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning the Provincial Championship for Hamilton in the following categories:

Steve Lysak	-	200 Breaststroke
Rob McLarty	-	200 Free Relay
Stefan Rappazzo	-	200 Free Relay
Brad Sindrey	-	200 Medley Relay
Kevin Tee	-	200 Free Relay
2. That approval be given to the Justice for Women Coalition for use of City Hall meeting room 264 on Thursday, October 17, 1991 from 7:00 p.m. to 9:30 p.m.
3.
 - (a) That the City of Hamilton purchase one (1) table of ten (10) people for attendance at The Hamilton Gallery of Distinction Dinner to be held on November 16, 1991.
 - (b) That the cost being \$1,000.00 be charged to Account No. 55299-24214.
4.
 - (a) That a contract be entered into between Mansueto Display Associate Ltd., the City of Hamilton and the Hall of Fame to construct and parade a float in the 1991 Grey Cup Parade in Winnipeg, Manitoba (as per attached rendering), at a cost not to exceed \$21,500.00.
 - (b) That the Mayor and City Clerk be authorized to execute a contract satisfactory to the City Solicitor and the Hall of Fame.

5. That the appropriate by-law to authorize the borrowing of monies to pay off bank overdrafts in relation to current expenditures be enacted by City Council.
6. That the appropriate by-law to appoint an external auditor be enacted by City Council.
7.
 - (a) That the City of Hamilton host a welcoming ceremony at City Hall followed by a luncheon at the Royal Connaught Hotel in honour of President and Mrs. Goncz of Hungary, for approximately 250 community leaders and Hungarian representatives.
 - (b) That this expenditure in the amount of \$8,500.00, be financed from the Special Civic Receptions and Delegations Hosting Account No. CH55314-84010.
8.
 - (a) That the City of Hamilton host a welcoming ceremony at City Hall followed by a luncheon at the Royal Connaught Hotel in honour of the drama group from Siauliai, Lithuania, who are paying a reciprocal visit to the City of Hamilton, for approximately 35 people.
 - (b) That this expenditure, in the amount of \$600.00 be financed from the Special Civic Receptions and Delegations Hosting Account No. CH55314-84010.
9. That the City of Hamilton pay \$500.00 for a half page publication in a commemorative program published by the Hamilton & District Multicultural Council in order to congratulate Ellen Fairclough for being chosen as the recipient of the Hamilton & District Multicultural Humanitarian & Merit Award; and that this be charged to Unclassified Expenditures Centre # 24201.
10. That the request to purchase space in and volumes of the "Allegiance" publication be forwarded to Regional Council for consideration.
11.
 - (a) That Members of City Council and all employees of the Corporation of the City of Hamilton, in their commitment to promote equality of women, avoid the use of sexist language and sex-stereotyping in all forms of communication.

- (b) That the Guideline for the Use of Non-sexist Language, as outlined in Schedule "A" attached hereto, be circulated to all Members of City Council and employees of the Corporation of the City of Hamilton.
12. (a) Further to Section 14 of the Eighteenth Report of the Finance and Administration Committee adopted May 29, 1990 with respect to the licensing of a special class of wheelchair accessible integrated taxicabs, it is recommended that no further action be taken at this time to implement this special class of taxi licence until such time as the study of Transportation Services for People with Disabilities, commissioned by the Regional Technical Co-ordinating Committee, is completed.
- (b) That City staff be directed to investigate the feasibility of converting the present taxi cabs to wheelchair accessible cabs and that this report be brought back to the Finance and Administration Committee.
13. That leave be granted to introduce the following bills:
- (a) **Bill H-44** By-law to Authorize the Borrowing of \$8,000,000.00 to Finance Bank Overdrafts as and when they Arise from Current Expenditures
 - (b) **Bill H-45** By-law to Appoint an External Auditor
 - (c) **Bill H-46** By-law to Confirm the Proceedings of City Council

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

T. Agnello, Acting Secretary
1991 October 3

Schedule "A" as referred to in
Section 11 of the EIGHTEENTH
Report of the Finance and
Administration Committee

**GUIDELINE FOR THE USE OF
NON-SEXIST LANGUAGE**

Presented to: Hamilton City Council

Prepared by: The Hamilton Status of Women Sub-Committee

September 1991

Definitions:

- Sexism:** discrimination based on gender
- Sexist language:** language that excludes one sex or gives unequal treatment to men and women
- Sex-stereotyping:** language, attitudes or representations which tend to attribute particular roles and characteristics to people on the basis of their gender without taking them into consideration as individuals
- Communication:** includes written, oral or visual material produced for distribution within the city administration or to the public - (reports, minutes, letters, policies, by-laws, memoranda or publications, forms, questionnaires, contracts, job descriptions and titles)

Equal Respect

The images and connotations of words used to refer to women often tend to reinforce attitudes and perceptions of the value and place of women in our society and influence how they are regarded and treated.

Words such as "girls" and "ladies", when referring to grown adult females should be avoided.

The word "girl" implies immaturity and dependence while "lady" suggest frailty and daintiness. Adult females as individuals are **women**.

Job Titles

Avoid using titles that designate the gender of a person. Traditionally, job titles have been designated as "male" or "female" depending on which gender has historically dominated a profession.

Jobs and position titles should focus on the role or responsibility of the job and position, not on the gender of the incumbent.

Suffixes such as "ette" or "ess" or "man" perpetuate the idea that women do not belong in certain occupations.

Avoid

authoress

businessman/businesswoman

chairman/chairwoman

craftsman

directress

draughtsman

fireman

lady principal

mailman

maintenance man

male nurse

policeman

spokesman

waitress

watchman

working man

Preferred

author

business executive, executive, entrepreneur

chair, chairperson, committee head,
presiding officer, moderator

artisan, craftsperson

director

drafting technician

firefighter

principal

letter carrier

maintenance worker

nurse

police officer

speaker, representative, spokesperson

server, dining attendant

security guard

worker, employee, labourer, wage earner,
average worker, staff member

Sex-Stereotyping

Sex-stereotyping is another way of denying an individual or group full recognition of status by depicting an oversimplified version of what they really are. The following may be helpful in avoiding stereotypical imagery.

- (a) Mention gender only when it is pertinent.
 - Instead of "Councillors and their wives are invited to a luncheon", the following would be preferred: "Councillors and their spouses (partners, guests) are invited to a luncheon".
 - Instead of "He was attended to by a woman doctor", the following would be preferred: "He was attended to by a doctor".
- (b) Try not to use expressions and terms that are implicitly sexist.
- (c) Remember that lawyers, bus drivers, councillors, accountants, farmers, doctors, journalists, etc., are women too.

Pronouns

The English language is very male-oriented due to its evolution in a patriarchal society. However, times, values, norms and conditions have changed. The use of "he" to refer to both men and women is absurd.

Since there are no generic singular or common sex pronouns in English, writers should refrain from assuming a one-sex audience, or from creating confusion by coining new words or constructing awkward sentences.

There are alternatives to avoiding the use of masculine pronouns:

- (a) Alter the sentence structure.

Avoid

"Each staff member may keep some of his personal belongings in his desk."

Preferred

"Some personal belongings are allowed in the desk."

- (b) Delete the pronoun.

Avoid

"The average supervisor believes good staff-management dialogue is essential for his job satisfaction."

Preferred

"The average supervisor believes good staff-management dialogue is essential for job satisfaction."

- (c) Use plural forms.

Avoid

"Each supervisor should meet regularly with his staff."

Preferred

"Supervisors should meet regularly with their staff." (or "staffs")

- (d) Substitute an article. ("a", "an" or "the")

Avoid

"Each director must submit his revised report next week."

Preferred

"Each director must submit a revised report next week."

- (e) Use "she and he" or "he and she." (This device tends to tongue-tie the reader if over-used.)

Avoid

"Each technician should keep his toolbox safely locked away."

Preferred

"Each technician should keep his or her toolbox safely locked away."

- (f) Use "they, their, them" in the third person singular.

Avoid

"Anyone may attend if he wants to."

"Who asked to have his vacation cancelled?"

Preferred

"Anyone may attend if they want to."

"Who asked to have their vacation cancelled?"

Generic Terms, Titles and Verbs

The word "man" is often defended as a generic term which refers to both men and women. Many listeners, however, perceive "man" to refer only to males; thus it is not truly generic.

The use of the word "man" to mean only men sometimes and women and men at other times can create confusion and ambiguity.

Avoid

alderman

man

mankind

manmade

man-hours

manpower

man in the street

manned

3-man administrative team

man of letters

Preferred

councillor

human beings, people, individuals

humanity, humankind, people, society

artificial, handmade, synthetic, fabricated, manufactured, constructed

labour hours, work hours, staff-hours, worker hours

workforce, personnel, human resources

average person/citizen
common person/citizen
the public

staffed, crewed, operated

3-person administrative team,
administrative team of three

writer, author, scholar

man of the hour

honoured guest, star of the show, centre of attention

best man for the job

best person for the job, best candidate for the job

Parallel Construction

When men and women are grouped together in language, parallel construction and terminology should be used.

Avoid

the men in the office;
the girls at work

man and wife

men and ladies

Tom Smith is the Superintendent
of Personnel and his wife
Helen is a stunning brunette.

Preferred

the men in the office;
the women in the office

husband and wife

men and women, gentlemen and ladies

Tom Smith is the Superintendent of
Personnel and Helen Smith
is a noted tax attorney (journalist,
teacher)

Demeaning Words and Expressions

Words and expressions which demean any individual undermine a professional relationship and should not be used.

Avoid

my girl

Honey, Dear, Sweetheart, Love
Cutie, Sugar, etc.

Preferred

the secretary, or the person's name

the person's name

manly, womanly

describe the characteristic intended, i.e. brave,
tender, strong, compassionate

girls (for adults)

women

boys (for adults)

men

career girl

name the profession

Does your mother work?

Does your mother work outside the home?

the little woman, the wife

my wife

Speeches and Oral Communication

- Avoid words which put down, exclude or stereotype either sex.
- Sexist jokes must be avoided.
- Inclusive language should be used throughout a speech, presentation.
- Opening forms of address should include both sexes:
 - Good morning, everyone
 - Colleagues and Friends
 - Friends and Associates
 - Colleagues

Correspondence: Internal

- (a) Avoid reference to a woman's marital status, unless specified by the addressee. The use of Ms. is generally acceptable.
- (b) Designation of gender or marital status is unnecessary in addressing internal memoranda or reports.

- (c) Lists and reports should use both first and last names.
- (d) References to all employees should be parallel and consistent, regardless of positions.

Avoid

Mrs. Joanne Brown

Preferred

Joanne Brown, Director; or Dr. Joanne Brown, Director; or Joanne Brown

Salutation:

Dear Mrs. Brown

Dear Joanne Brown

Dear Miss Brown

Dear Director Brown

Dear Ms Brown

Dear Joanne (if known to correspondent)

Closing Identification:

Mr. John Smith, City Councillor

John Smith, City Councillor

Reports:

The following committee members were present:

The following committee members were present:

Ms S. Singh

Sharon Singh

Mr. E. Walters

Errol Walters

Mrs. V. Eng

Vera Eng

Mr. Alexander and his assistant Diane

Phil Alexander and his assistant Diane Haden

Lists:

Reed, Mrs. Clair

Reed, Clair

McBean, Mr. Trevor

McBean, Trevor

Bent, Miss Clarissa

Bent, Clarissa

Correspondence: External

- (a) When initiating external correspondence, marital status should not be designated by title.
- (b) When replying to external correspondence use the form designated by the originator. (i.e.: do not reply Ms. Smith if the originator specifies Mrs. Smith). Where the information is not known do not assume a particular sex or status.
- (c) When initiating correspondence, if sex and name of the addressee are unknown use the form "Dear Madam/Sir".
- (d) Signatures are a personal choice. However, the traditional requirement of a courtesy title in front of the typewritten name of a woman is not necessary.

Avoid

Mr. and Mrs. Ben Chinsue

Mr. Robert Williamson

Mrs. Akila Opoku

Miss A. Opoku

Preferred

Clara and Ben Chinsue

C. and B. Chinsue

Robert Williamson

Akila Opoku

A. Opoku

Salutation:

Dear Mr. and Mrs. Hassan Ali

Dear Carla and Hassan Ali

Dear Carla and Hassan (if known to correspondent)

Dear Gentlemen

Dear Madam/Sir

Dear Colleagues

Dear Constituents

Dear Friends

Non-Sexist Research:

The Canadian Psychological Association states research is sexist when it is based on the assumption that men and their interests are more important than women and are more representative of humanity. Sexist bias manifests itself in many ways, including, but not limited to the following:

- researchers use sexist language.
- research is carried out without reference to the economic, social and political context of women's lives.
- researchers omit women from their population sample.

Researchers, authors, editors, readers and reviewers should be aware of sexist bias at all stages of a research project: the literature review, forming the questions, design, sample selection, dependent variables, statistical analysis and the reporting and interpretation of the results.

Conclusion

Eliminating sexist language takes diligence and education. We must recognize and reinforce the proper terminology if we want women to become full and equal participants in our society. It is important that as City representatives, we recognize that communications have a cumulative impact on the perceptions of individuals, their behaviour and their aspirations. Presenting women in a fair and equitable light is one way to fight discrimination.

RESOURCES

1. Canadian Advisory Council on the Status of Women, Guidelines for Non-Sexist Language.
2. Canadian Association of Broadcasters, Sex-Role Portrayal Code for Television and Radio Programming.
3. Canadian Broadcasting Corporation, CBC. Guidelines for Sex-Role Portrayal, August 1991
4. Correctional Services Canada, On Equal Terms. How to Eliminate Sexism in Communications, Supply and Services Canada. 1989
5. McMaster University, Policy Statement on Inclusive Communications and Communications Guidelines, April 1990
6. Michigan State University, Division of Women's Programs, Fact Sheet on Bias-Free Communication (undated)
7. Ontario Ministry of Education, Human Resources Branch, Guidelines for Non-Sexist Communications June 1991
8. Ontario Women's Directorate, Non-Sexist Language in the Workplace, (undated)
9. Ryerson Polytechnical Institute, A Guide to Communicating Gender Parity, (Office of the Employment and Educational Equity) 1988
10. Treasury Board of Canada, Elimination of Sexual Stereotyping, Treasury Board Manual, Information and Administrative Management
11. Wentworth County Board of Education, Guidelines for the Use of Non-Sexist Language, 1988
12. York University, Non-Sexist Language, Office of the Advisor to the University on the Status of Women

2nd
Hm

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

TO ALTER AND CLOSE A PORTION
OF GOLF LINKS ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to alter and close any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Golf Links Road within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Golf Links Road at the west City limits is hereby altered and closed by the construction of a cul-de-sac.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to alter and close as public highway the said lands.
3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

**TO INCORPORATE PARTS 1&2, PLAN 62R-11902
INTO DONN AVENUE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Donn Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Donn Avenue.

Part of Lot 24, Concession 2, in the former Township of Saltfleet, designated as Parts 1 and 2 on Plan 62R-11902

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91

TO INCORPORATE PART 3 ON PLAN 62R-11696, AND PART 5
ON PLAN 62R-11902, INTO BERKINDALE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Berkindale Avenue by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Berkindale Avenue.

Firstly

Part of Lot 23, Concession 2, formerly in the Township of Saltfleet, designated as Part 3 on Plan 62R-11696, and

Secondly

Part of Lot 24, Concession 2, formerly in the Township of Saltfleet, designated as Part 5 on Plan 62R-11902

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This By-law comes into force and effect on the day of registration in the Land Registry Office for the Registry Division of Wentworth (No. 62)

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Hanover (west leg)	Northbound	Hanover (north leg)
Vanessa	Eastbound	Magnolia
Magnolia	Northbound and Southbound	Vanessa
West 18th	Southbound	Lynbrook
Elgar	Northbound	Lynbrook
Southlea	Southbound	Lynbrook
Silvercrest	Westbound	Southlea
Silvercrest	Eastbound	Westmount
Bermuda	Eastbound	Mountbatten
Sarasota	Northbound	Miami
Sarasota	Southbound	Roiston".

2. **Schedule 11 (Yield Right of Way Signs)** is hereby amended by deleting therefrom the following items, namely:-

*West 18th	Southbound	Lynbrook
Elgar	Northbound	Lynbrook
Southlea	Southbound	Lynbrook
Silvercrest	Westbound	Southlea
Silvercrest	Eastbound	Westmount
Bermuda	Eastbound	Mountbatten
Sarasota	Northbound	Miami
Sarasota	Southbound	Roiston".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:-

a) by deleting from **Section 5 (One Hour Limit)** the following item, namely:-

"Glencarry	Both	King to 175 ft. north".
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b) by deleting from **Section 8 (Two Hour Limit)** the following item, namely:-

"Glencarry	Both	From 175 ft. north of King to Lucerne".
------------	------	---

and by adding thereto the following items, namely:-

"Glencarry	East	Lucerne to 114 feet north of King
Glencarry	West	Lucerne to 124 feet north of King".

2. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following item, namely:-

"Albany	Both	Kenilworth to Robins".
---------	------	------------------------

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Undercliffe	West	Aberdeen to 197 feet south
East 6th	West	Empress (south curb line) to 103 feet south".

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Harrison	South	commencing 202 feet east of Kenilworth	
		to a point 22 feet easterly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

 CITY CLERK

 MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 69 PEARL STREET NORTH
and 210-214 NAPIER STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 69 Pearl Street North and 210-214 Napier Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,
(i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 11 R.P.D.C. 9, July 30

Schedule "A"

To

By-law No. 91-

ZION UNITED CHURCH, 69 Pearl Street North

and

210-214 Napier Street, Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario and being composed of all of Lots 1, 2 and 5 according to William Davey Survey registered in the Land Registry Office for the Registry Division of Wentworth as Plan No. 57.

to

By-law No. 91

REASONS FOR DESIGNATION

ZION UNITED CHURCH69 PEARL ST. NORTH AND 210-214 NAPIER STREET, HAMILTONLocation:

Situated at the northwest corner of Pearl and Napier Streets, the Zion Tabernacle Methodist Church was erected in 1874-75 on what was thought to be the highest point of land north of the escarpment. The design, by architect Joseph Savage, chose to emphasize this hilltop site with a corner tower rising to a height of 125'. Zion's graceful spire became the most visible feature of the city's West End and traditionally served as an orientation point for ships in the harbour. The church was and still is a dominant structure in the surrounding low-rise residential neighbourhood, dating primarily from the 19th century.

Architecture:

The church is designed in the Victorian Gothic style, a later stage of the Gothic Revival which put greater emphasis on picturesque and decorative qualities. Typical of this style is the asymmetrical design with corner towers of contrasting height, as well as the colourful, alternating red and yellow banded brickwork found over the pointed-arched windows and under the front gable.

Upon completion, Zion Church was described as "the first of the kind ... erected in the Dominion" (*Canadian Methodist Magazine*, April 1875). This distinction refers to the interior plan of the church, a 80' x 90' amphitheatre, featuring a floor that sloped from all three sides down to the central pulpit on the west side. Reputedly inspired by the Broadway Tabernacle in New York City, this innovation afforded each of the 900 seats a clear view to the speaker.

Zion Tabernacle represents the one significant local work by Joseph Savage who was at the time in partnership with the Toronto architect Windeyer. In 1875, within a month after the church was dedicated, architect Savage died at the young age of 37 years.

Due to increasing attendance, two Sunday Schools were added to the Napier Street frontage, the first (directly adjacent) designed by Charles Mills in 1892 and the second by G. T. Evans in 1930. Together they form a well-integrated church complex, despite the shift in architectural style to the rounded arches, popular at these later dates.

History:

Major events within the national Methodist church, including its 100th anniversary in 1868 and important consolidations in 1874 and 1883, had a profound effect at the local level. Combined with other favourable conditions, Hamilton experienced a proliferation of substantial Methodist church edifices. Six were constructed within fifteen years, four of which still remain: the Primitive Methodist (now St. Johannes Lutheran) (1867); Centenary (1868), Zion (1875) and Hannah St. (now First Christian Reformed) (1882). The name of Zion Tabernacle Methodist Church was changed to Zion United Church following the formation of the United Church of Canada in 1925.

Zion church grew out of the need for a Methodist representation in the West End, where the Great Western Railway had located—then the largest employer in the City. The present structure is Zion's third, following "the little Main St. church" established in 1855, and a small brick structure known as Mt. Zion built in 1867 at Pearl and Napier Streets.

The high value placed on education by the church is evidenced in the substantial Sunday Schools, the later one having provided one of the earliest gymnasiums in the City. At present, these buildings are used as the Kirkendall-Strathcona Neighbourhood House.

Important for the preservation of this building is the retention of the original architectural features of the east front facade and south side facade (Church and Sunday Schools), including the brickwork of walls, towers and buttresses; the spires, the arched doorways and windows; and the window mouldings, decorative brickwork and stone trim.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Adopt:

Official Plan Amendment No. 103

Respecting:

LANDS LOCATED SOUTH OF STRAWBERRY DRIVE
AND EAST OF LAKE AVENUE NORTH (REAR OF 921 QUEENSTON ROAD EAST)
WITHIN THE RIVERDALE EAST NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 103 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 13 R.P.D.C. 17(A), September 24
546544 Ontario Inc. (Juraj Sulug -
President and Secretary Treasurer), Owner
ZA-89-113

Amendment No. 103

to the

City of Hamilton Official Plan

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 103.

Purpose

The purpose of this Amendment is to establish a "Special Policy Area" to allow the subject lands to be used for parking, in conjunction with an adjacent commercial use, notwithstanding the "Residential" designation.

Location

The lands affected by this Amendment are located south of Strawberry Drive and east of Lake Avenue North (rear of 921 Queenston Road East), within the Riverdale East Neighbourhood.

Basis

The proposal is to permit the subject lands to be utilized for parking only, in conjunction with an adjacent existing commercial use (located in Stoney Creek at 921 Queenston Road East). The basis for permitting the proposal is as follows:

- it implements the approved Riverdale East Neighbourhood Plan, which designates the subject lands "COMMERCIAL";
- the proposed parking area will have less of an impact on adjacent residential areas than other, more intense, commercial uses which would also comply with the "COMMERCIAL" Neighbourhood Plan designation;
- the proposal represents infill development on an irregularly shaped parcel of land, which would not be feasible for development independently;
- the commercial development, which the proposed "G-3" District will serve, is suitably located on a major arterial road, at the periphery of the neighbourhood;
- access will be prohibited to Strawberry Drive;
- the proposal is compatible with the surrounding land use pattern; and,

- the subject lands are under Site Plan Control. As such, the City can review the site design (access, landscaping, fencing, grading, etc.) during the Site Plan process.

Actual Changes

- 1) The following policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.54:

"Notwithstanding the permitted uses set out in Subsection A.2.1 - Residential Uses and Policy A.2.2.38, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 59, and located on the south side of Strawberry Drive, east of Lake Avenue North (rear of 921 Lake Avenue North), a parking facility serving an adjacent commercial use, will be permitted."
- 2) The following be added to Schedule "B" Special Policy Areas:
 - Special Policy Area 59; and,
 - "Area 59 refer to Policy A.2.9.3.54", in the legend,
 as shown on the attached Schedule "B" of this Amendment.

Implementation

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 91-_____, passed on the _____ day of _____, 1991.

**The Corporation of the
City of Hamilton**

City Clerk

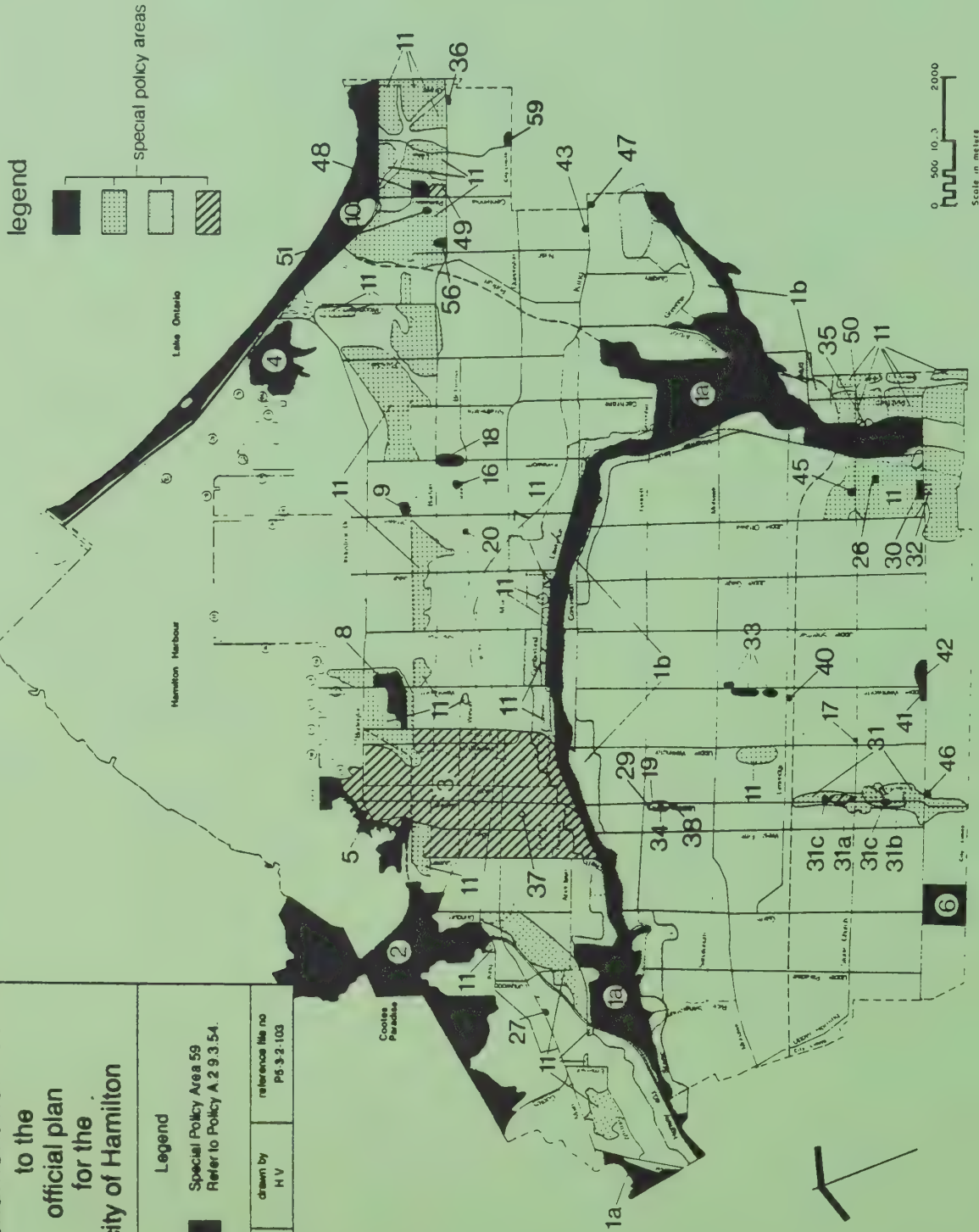
Mayor

schedule B **amendment no. 103** **to the** **official plan** **for the** **city of Hamilton**

Legend

 **Special Policy Area 59**
Refer to Policy A 29.3.54.

date	drawn by	reference file no
Sept. 1981	H.V.	P6-S-2-103



special policy **areas**

REFER TO
POLICY

AREA	REFER TO POLICY
1(a)	A 29.1.
1(b)	A 29.1.
2	A 29.2.
3	A 29.3.
4	A 29.3.1.
5	A 29.3.2.
6	A 29.3.3.
7	A 29.3.4.
8	A 29.3.5.
9	A 29.3.6.
10	A 29.3.7.
11	A 29.3.8.
12	A 29.3.9.
13	A 29.3.10.
14	A 29.3.11.
15	A 29.3.12.
16	A 29.3.13.
17	A 29.3.14.
18	A 29.3.15.
19	A 29.3.16.
20	A 29.3.17.
21	A 29.3.18.
22	A 29.3.19.
23	A 29.3.20.
24	A 29.3.21.
25	A 29.3.22.
26	A 29.3.23.
27	A 29.3.24.
28	A 29.3.25.
29	A 29.3.26.
30	A 29.3.27.
31	A 29.3.28.
31(a)	A 29.3.29.
31(b)	A 29.3.30.
31(c)	A 29.3.31.
32	A 29.3.32.
33	A 29.3.33.
34	A 29.3.34.
35	A 29.3.35.
36	A 29.3.36.
37	A 29.3.37.
38	A 29.3.38.
39	A 29.3.39.
40	A 29.3.40.
41	A 29.3.41.
42	A 29.3.42.
43	A 29.3.43.
44	A 29.3.44.
45	A 29.3.45.
46	A 29.3.46.
47	A 29.3.47.
48	A 29.3.48.
49	A 29.3.49.
50	A 29.3.50.
51	A 29.3.51.

Refer to Schedule B - 1 for Special
Policy Areas in the Downtown

schedule B **to the official plan** **for** **the city of hamilton**

91 05 24

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE RED HILL VALLEY
BETWEEN THE T.H. & B. RAILWAY TRACKS TO THE NORTH
AND THE PROPOSED EXTENSION OF GREENHILL AVENUE TO THE SOUTH**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-248 on August 28, 1991, to amend By-law No. 6593;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 11 of the 5th Report of the Planning and Development Committee at its meeting held on the 26th day of March 1991, recommended that Zoning By-law No. 6593, as amended by By-law No. 90-248 be further amended to prohibit the establishment of Day Nurseries in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593, applicable to Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 7A.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 1 on Schedule "A", hereto annexed.

2. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, applicable to Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 8.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 2 on Schedule "A", hereto annexed.

3. The "B-1" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to Block 3, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 8A.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Block 3 on Schedule "A", hereto annexed.

4. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks 4 and 5, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

- (i) notwithstanding Section 9.(1) of By-law No. 6593, a Day Nursery shall not be permitted on the lands shown as Blocks 4 and 5 on Schedule "A", hereto annexed.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA", "B", "B-1" and "C" District provisions, subject to the special requirements referred to in sections 1, 2, 3 and 4.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1247.

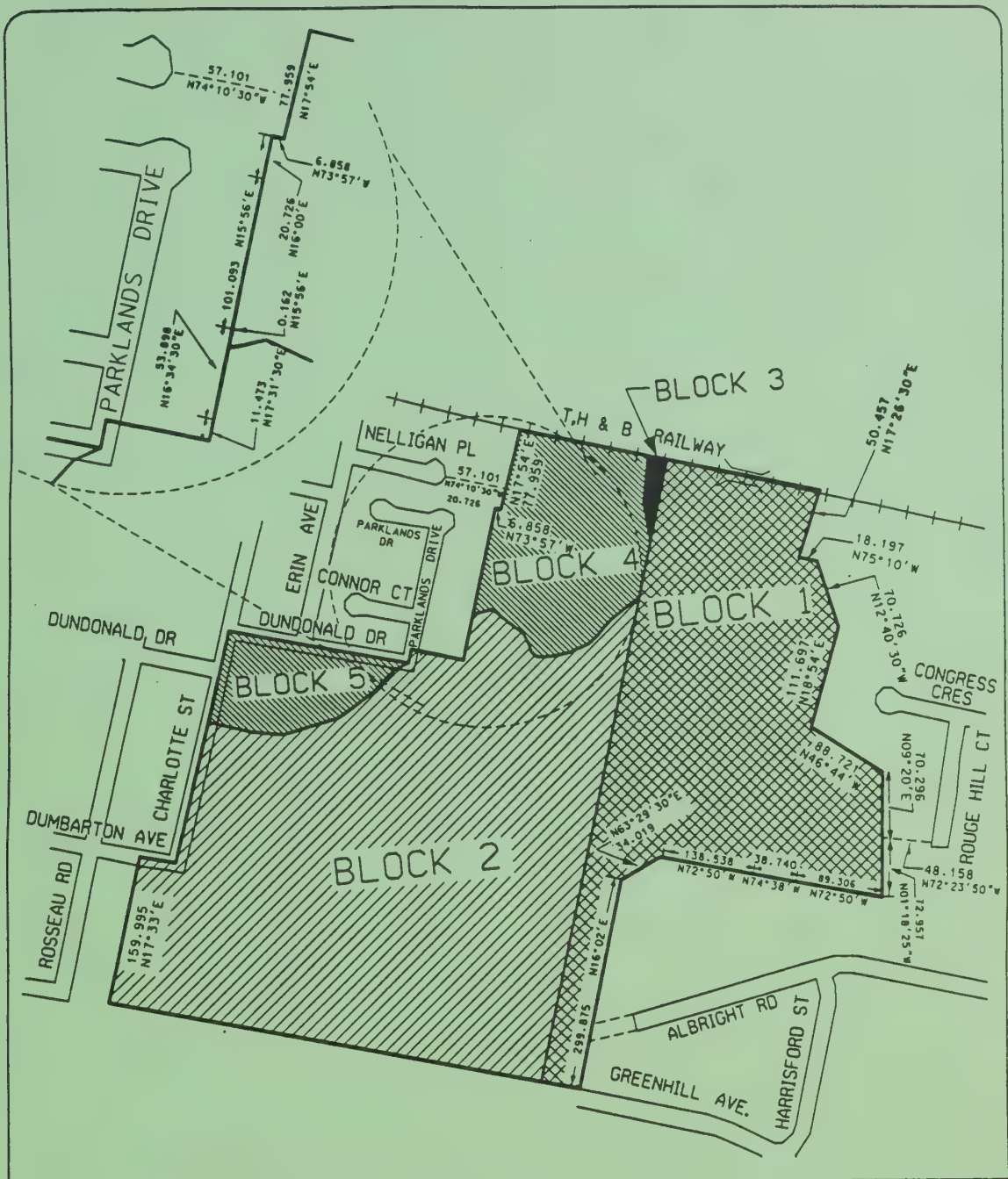
5. Sheets No. E-76, E-77, E-78, E-86 and E-87 of the District Maps are amended by marking the lands referred to in sections 1, 2, 3 and 4 of this by-law, S-1247.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor



This is Schedule "A" to By-Law No. 91-____
Passed the ____ day of _____, 1991.

Clerk

Mayor

NOTE: All dimensions are in metres

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 91-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

15

Legend
Modification in Zoning to:



"AA" (Agricultural) District.



"B" (Suburban Agriculture and Residential, etc.) District.



"B-1" (Suburban Agriculture and Residential, etc.) District.



"C" (Urban Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Date
OCTOBER, 1991

Reference File No.
CI-88-K

Drawn By
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Remove:

**PART OF "LILLIAN HEIGHTS - PHASE 2" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL**

WHEREAS subsection 7 of section 49 of the Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...;

AND WHEREAS subsection 5 of section 49 of the Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of the Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-90 on the 27th day of March 1990 to remove part of "Lillian Heights - Phase 2" Registered Plan of Subdivision from part-lot control;

AND WHEREAS By-law No. 90-90 was registered on title on the 19th day of April 1990 as Instrument No. 277428 L.T.;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-287 on the 9th day of October 1990 to extend the removal of part-lot control for a further one-year period;

AND WHEREAS By-law No. 90-287 was registered on title on the 30th day of October 1990 as Instrument No. 289672 L.T.;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 14th Report of the Planning and Development Committee at its meeting held on the 8th day of October 1991, directed that a by-law be prepared to remove part-lot control from the lands herein described and to repeal By-laws No. 90-90 and 90-287.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of the Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. All of Lots 1, 2, 3, 5, 13, 53, 54, 55, 57, 62, 68, 69, 70, 73, 74, 75, Block 140 and Lots 78-138 inclusive, of Registered Plan Number 62M-639, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

2. This by-law shall come into force and effect on the date of approval by The Regional Municipality of Hamilton-Wentworth in accordance with section 49(7) of the Planning Act, 1983 and O. Reg. 443/75 thereunder.

3. By-laws No. 90-90 and 90-287 are hereby repealed.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 14 R.P.D.C. 4, October 8

The Corporation of the City of Hamilton

BY-LAW NO. 91 -

To Authorize the Borrowing of \$8,000,000.00 to
Finance Bank Overdrafts as and when
they Arise from Current Expenditures

Whereas the Council of The Corporation of the City of Hamilton (hereinafter called the "Municipality") deems it necessary to borrow the sum of \$8,000,000.00 or lesser amount not cumulative subject to the cumulative total of 70% of the annual uncollected balance of the estimated revenue to pay for temporary bank overdrafts as and when they arise in relation to the current expenditures of the Municipality for the year;

And Whereas the total amount of the estimated revenues of the Municipality as set forth in the preliminary estimates adopted for the year 1991, is \$159,479,450.00,

And Whereas the total of amounts heretofore may be borrowed for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended;

Therefore the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. The Mayor and the Treasurer are hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums not exceeding the aggregate \$8,000,000.00 at one time to pay off temporary bank overdrafts for the current expenditures of the Municipality for the year, including the amounts required for the purposes mentioned in Subsection(1) of Section 189 of the Municipal Act, and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Mayor and Treasurer for the monies so borrowed with interest at such rate as may be agreed upon from time to time with the Bank.
2. All sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank for any or all of the purposes mentioned in the said Section 189, shall, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the monies hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

PASS this

day of September

A.D. 1991

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 91-

TO APPOINT AN EXTERNAL AUDITOR

WHEREAS Section 88(1) of the Municipal Act, R.S.O. 1980, Chapter 302, authorizes the City Council to appoint one or more auditors who are licensed under the Public Accountancy Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 7 of the 4th Report of the Finance Committee on January 28, 1986 appointed the firm of Spicer MacGillivray as the City of Hamilton's external auditor;

AND WHEREAS Spicer MacGillivray later changed its name to Pannell Kerr MacGillivray;

AND WHEREAS Pannell Kerr MacGillivray has since become MacGillivray Partners;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1992.
2. Notwithstanding Section 1, MacGillivray Partners must complete the 1992 audit and the 1992 financial report for the Corporation of the City of Hamilton.
3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.
4. The annual fee payable to the auditor will be adjusted by no more than the change in the Consumer Price Index (C.P.I.) from October of the next previous year. The fee will be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as a part of the regular fee.
5. The special audit work assigned separately will be billed at the normal rate less 15% discount.

PASSED this . day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF OCTOBER A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 4th day of October A.D. 1991

CITY CLERK

MAYOR

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

URBAN/MUNICIPAL
CAH ON H3L A05
A31

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, October 29, 1991
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. Opening Prayer

Reverend Brant Loper
Binkley United Church

2. Certificate of Recognition

Mr. Donald Eperson

3. Proclamations

- (a) Celebration of Horticulture - Mum Show
November 2 to November 17, 1991
- (b) Diabetes Month, November, 1991
- (c) Kiwanis Week - November 3 to November 9, 1991

4. Minutes

October 8, 1991

5. Petitions and Correspondence

6. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (e) Licensing Committee
- (h) Finance and Administration Committee

7. Notices of Motion for Next Meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment

M I N U T E S

Hamilton City Council
October 8, 1991
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met.

Present: Mayor R. M. Morrow

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray,
Ross.

Mayor Morrow called the meeting to order.

* * * * *

Father Alfred Des Autels, Notre Dame Perpetual Secours Church led the Council in prayer.

* * * * *

The following presentations were presented:

A Certificate of Recognition was presented to Natalie Quick for winning the World Championship in Highland Fling Dancing which took place during the Cowal Highland Gathering in Dunoon, Scotland.

A Civic Award was presented to Kim Beveridge, Elly Kowalczyk for the 1991 Ontario Age Group Championship in the Duet 10 and under category for the Hamilton Synchronized Swimming Club.

The Mayor proclaimed the following:

National Blood Donor Appreciation Week, October 10 to October 17, 1991

Ostomy Awareness Week, October 14 to October 20, 1991

World Food Day, October 16, 1991.

* * * * *

October 8th, 1991

Correspondence:

1. Application dated September 30, 1991 from Wilma Faille, Hamilton, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 53 Birchview Drive, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Finance and Administration Committee, and the Report of City Council Committee of the Whole with Alderman Cooke in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT

Re: Section 11 (a) - Parking Regulation - Albany Ave between Kenilworth and Robins Ave

It was moved by Alderman Merling and seconded by Alderman Copps that Section 11 (a) of the Fourteenth Report of the Transport and Environment Committee for 1991 be referred back.

CARRIED.

* * * * *

October 8th, 1991

Re: Section 13 (b) To prohibit northbound right turns from Queen St. to Aberdeen Ave.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Gallagher, Murray. -16.

NAYS: Alderman Ross. -1.

CARRIED.

* * * * *

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

Section 3 Re: Contract - Chamberlain Architect Services Limited as the Prime Consultant for the Huntington Park Recreation Centre/Renovations and Addition.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Merling, Murray, Ross. - 16.

NAYS: Alderman Gallagher. -1.

CARRIED.

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - FOURTEENTH REPORT

* * * * *

INFORMATION SYSTEMS COMMITTEE - SIXTH REPORT

* * * * *

October 8th, 1991

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT

Section 11 Re: Use of sexist language and sex-stereotyping in all forms of communication.

Alderman J. Gallagher declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Gallagher is presently engaged in legal action against the Spectator involving this issue.

It was moved by Alderman Ross and seconded by Alderman Merling that Section 11 of the Eighteenth Report of the Finance and Administration Committee be referred back.

Recorded vote on Referral Back.

YEAS: Alderman Lombardo, Formosi, Merling, Murray, Ross.-5.

NAYS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson. -11. **LOST.**

* * * * *

Recorded vote on Section 11 (a)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Jackson, Ross. - 13.

NAYS: Aldermen Formosi, Merling, Murray. -3. **CARRIED.**

Recorded vote on Section 11 (b)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps, Wilson, Agostino, Jackson. -10.

NAYS: Aldermen McCulloch, Lombardo, Formosi, Merling, Murray, Ross. -6. **CARRIED.**

* * * * *

Section 12 Re: Licensing of a special class of wheelchair accessible integrated taxicabs

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross. - 15.

NAYS: Alderman Drury. -1.

CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council to consider:

- a) a resolution regarding financing the purchase of 25 Tecumseh Street and,
- b) a resolution regarding financing of 1991 servicing expenditures related to Harbottle and Orchard Park Estates.

CARRIED.

It was moved by Alderman Hinkley and seconded by Alderman Drury

That the EIGHTEENTH Report of the Finance and Administration Committee be amended by adding Sections 14 and 15 as follows:

"14. That, as referred to in Section 6 of the NINETEENTH Report of the Parks and Recreation Committee, that the approval of the acquisition of 25 Tecumseh Street, adjacent to the grounds of Dundurn Castle, which originally was Sir Allan MacNab's Gardener's Cottage, be financed from the Reserve for Acquisition of Historic Property, Account Centre No. CH00120 to a total amount of \$175,000."

CARRIED.

"15. That, as referred to in Section 8 of the FOURTEENTH Report of the Transport and Environment Committee, that the City's Share of Services for Harbottle Estate - Phase 1 in the amount of \$26,993.68 and Orchard Park Estates - Phase 1 in the amount of \$223,424.00 to a total amount of \$250,417.68 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands."

CARRIED.

* * * * *

October 8th, 1991

It was moved by Alderman Wilson and seconded by Alderman Copps that Rule No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding the use of the City Hall forecourt.

It was moved by Alderman Wilson and seconded by Alderman Copps that the EIGHTEENTH Report of the Finance and Administration Committee be amended by adding the following resolution as Section 16:

- "16. That approval be given to the request of Hamilton Against Poverty Group to use the City Hall forecourt and related equipment on Saturday, 1991 October 26 from 10 o'clock a.m. to 2 o'clock for a rally." **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch that Alderman M. Kiss be appointed Acting Mayor for the month of November, 1991. **CARRIED.**

* * * * *

CITY COUNCIL COMMITTEE OF THE WHOLE - SECOND REPORT

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Finance and Administration Committee and the Report of the City Council Committee of the Whole and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -14.

NAYS: -0.

CARRIED.

* * * * *

October 8th, 1991

It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills be now read a first time:

A-64, A-65, A-66, A-67, A-68.

C-74, C-75, C-76, C-77.

H-44, H-45, H-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Bills, with Alderman Cooke in the chair. (second reading).

A-64, A-65, A-66, A-67, A-68.

C-74, C-75, C-76, C-77.

H-44, H-45, H-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray. -15.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-64, A-65, A-66, A-67, A-68.

C-74, C-75, C-76, C-77.

H-44, H-45, H-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross.
-16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-64, A-65, A-66, A-67, A-68.

C-74, C-75, C-76, C-77.

H-44, H-45, H-46.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Lombardo, Formosi, Jackson, Gallagher, Murray, Ross.
-16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

CORRESPONDENCE

Correspondence:

1. Resolution dated October 15, 1991 from the Corporation of The Town of Markham respecting Private Member's Bill Introduced in the Legislature with respect to Balanced Budgets.

Recommendation: **Be Referred to the Finance and Administration Committee.**

2. Letter of Withdrawl regarding Zoning Application from Wilma Faille, Hamilton, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District for 53 Birchwood Drive, Hamilton, Ontario.

Recommendation: **Be Received.**

3. Application dated October 9, 1991 from Leo Cascioli, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 29 Severn Street, Hamilton, Ontario.

Recommendation: **Be Received.**

4. Application dated October 10, 1991 from R. V. Kemp, (In Trust), Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 146 Mount Albion Road, Hamilton, Ontario.

Recommendation: **Be Received.**

5. Application dated October 21, 1991 from Maurice C. Carter Holdings Ltd., Hamilton, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E-3" (High Density Multiple Dwellings) District, modified for lands located within the block bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North, Hamilton, Ontario.

Recommendation: **Be Received.**

6. Application dated October 23, 1991 from Truwan Holdings Limited, Hamilton, Ontario for a change in zoning from "Lmr-1" (Planned Development - Multiple Residential) District to "G-3" (Public Parking Lots) District for 2444, 2450 Barton Street East and 211 Centennial Parkway.

Recommendation: **Be Received.**

7. Application dated October 23, 1991 from Robert Shelley Construction Limited, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for lands in the area north of Rockview Avenue west of the proposed extension of Crerar Drive.

Recommendation: Be Received.

8. Application dated October 23, 1991 from Canadian Japanese Cultural Centre at Oteora, Hamilton, Ontario for a modification to the "M-14" (Prestige Industrial) District for 95 Unsworth Drive, Hamilton, Ontario.

Recommendation: Be Received.

9. Application dated October 23, 1991 from St. Lawrence Cement Inc., Hamilton, Ontario for a further modification to the "M-15" (Prestige Industrial) District for 475 Nebo Road, Hamilton, Ontario.

Recommendation: Be Received.

MARKHAM

1.

October 15, 1991

RECEIVED

OCT 21 1991

CITY CLERKS

ALL MUNICIPALITIES WITH A
POPULATION OF OVER 25,000

RE: PRIVATE MEMBER'S BILL INTRODUCED IN THE LEGISLATURE
WITH RESPECT TO BALANCED BUDGETS - OUR FILE NO. 24-0

The Council of the Town of Markham, at its meeting held on September 24th, 1991, had before it for consideration a letter dated August 29th, 1991, from The Honourable Michael D. Harris, M.P.P., Leader of the Progressive Conservative Party of Ontario, requesting endorsement of a Private Member's Bill introduced into the legislature in order to legalize the inclusion of a question on municipal ballots this fall regarding the idea of a balanced budget bill.

Council at that time passed the following resolution:

"RESOLVED THAT the letter dated August 29th, 1991 from The Honourable Michael D. Harris, M.P.P., Leader of the Progressive Conservative Party of Ontario, requesting endorsement of a Private Member's Bill to be introduced in the Ontario Legislature in order to legalize the inclusion of a question on municipal ballots this fall regarding the idea of a balanced budget, be received;

AND THAT The Honourable Michael D. Harris, M.P.P. Leader of the Progressive Conservative Party of Ontario, be advised that the Town of Markham supports the concept that the Provincial Government be responsible for balancing its budget every year;

.....2/



AND THAT the Prime Minister of Canada be requested to balance the Federal Government Budget every year;

AND FURTHER THAT all municipalities with a population of over 25,000, the Association of Municipalities of Ontario and The Federation of Canadian Municipalities be advised accordingly."

I would appreciate it if you would place this resolution before your Council for endorsement and subsequently advise The Prime Minister and The Honourable Michael D. Harris of same.

Yours very truly,



Gary F. Roseblade, C.M.O., C.M.C.
Town Clerk

GFR/jik

cc: The Association of Municipalities of Ontario
The Federation of Canadian Municipalities

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to Lakeview Sand & Gravel, Paris for the supply and delivery, as and when required during the 1991 winter season, of treated screened sand with an option to renew to April 20, 1992, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Stock Materials Account No. CH56197 60999, as follows:

Pick up - \$13.37

Delivered - \$16.80

Prices per tonne including all taxes

2. That a purchase order be issued to Sifto Canada Inc., Mississauga, for the supply and delivery, as and when required during the 1991 winter season, of course crushed sodium chloride at a cost of \$38.12 per tonne including all taxes, with an option to renew to April 30, 1992, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Stock Materials Account No. CH56197 60999.
3. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete curb on north side of Leaside Road between Brighton Avenue and Dunn Avenue.
4. That City Council enact the appropriate By-law to authorize the construction of local improvements of concrete sidewalk on east side of Nash Road between Barton Street and a point 24m southerly.
5. That the present policy to alleviate sewer disruptions caused by municipal tree roots, adopted by the City of Hamilton on the 24th day of June, 1986 be amended to include:

Blockage on Road Allowance

"If there is a blockage caused by settlement or a collapsed or broken sewer line, the Regional Municipality of Hamilton-Wentworth will pay 100% of the cost to repair the sewer line, regardless of whether or not tree roots are present" and

That the following headings be added to the policy to improve the understanding of the policy, and

"Sewer Cleaning"

"Blockage by Tree Roots"

"Blockage other than Tree Roots"

"50/50 Cost Share"

"Blockage on Road Allowance"

That the terminology be improved so that the policy will read as outlined on the attached, Schedule "A".

6.
 - (a) That the construction of an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approximately 99m easterly proceed as a Local Improvement pursuant to Section 12 of the Local Improvement Act, at an estimated gross cost of eleven thousand, nine hundred dollars (\$11,900.), as provided in the 1991 portion of the 1991-1995 Capital Budget with a City share of eleven thousand, nine hundred dollars (\$11,900.);
 - (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital Project;
 - (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.
7.
 - (a) That the reconstruction of 110 metres of sidewalk along the north side of Fielding Crescent from Lawfield Drive to 31 Fielding Crescent at a cost of \$13,500 be added to the 1991 Road and Sidewalk Capital Reconstruction Program;
 - (b) That the action of the Director of Public Works to proceed with the reconstruction of this sidewalk be confirmed.

8.
 - (a) That an Offer to Purchase executed by Larry Alfons Van Herzele and Lisa Anne Basso-Van Herzele on September 25, 1991 and scheduled for closing on or before January 6, 1992, for the purchase of part of the property at 125 East 22nd Street, shown as part of Part 3 on Plan P-1343 Surveys, containing 72 square metres (775.02 square feet), more or less, be approved and completed. The purchase price of \$626.00 be credited to Account Number CH 59050 30001 (Outside Recoveries).
 - (b) That a certified deposit cheque in the amount of \$60.00 be held by the City Treasurer pending approval of this transaction.
 - (c) That an Offer to Purchase executed by Mrs. Ruth Clarke on August 26, 1991 and scheduled for closing on or before January 6, 1992, for the purchase of part of the property at 125 East 22nd Street, shown as part of Part 3 and Part 4 on Plan P-1343 Surveys, containing 238 square metres (2,561.89 square feet), more or less, be approved and completed. The purchase price of \$626.00 be credited to Account Number CH 59050 30001 (Outside Recoveries).
 - (d) That a certified deposit cheque in the amount of \$60.00 be held by the City Treasurer pending approval of this transaction.
9. That the Mayor and City Clerk be authorized to execute documents for the purpose of releasing the land described as Part 1 on Plan 62R-8253, being part of 480 Rymal Road West from the covenants set out in Instrument Number 374730 C.D., as this land has now been included by the Purchaser, 100 Main Street East Limited (A. Frisina) in the Plan of Rymal Estates which was registered as Plan 62M-679 on February 8, 1991, in accordance with the original Offer to Purchase finalized on October 13, 1986.
10.
 - (a) That an Option to Purchase, executed by Lloyd Kovacs on October 1, 1991 and scheduled for closing on November 29, 1991, composed of Lot 16, Concession 7, in the former Township of Barton, having a frontage along the westerly limit of West 5th Street of 20.1 metres (66.1 feet), more or less, by depth of 146.2 metres (479.65 feet), more or less, containing an area of 2,938.62 square metres (31,632.07 square feet), more or less, known as Municipal Number 874 West 5th Street, Hamilton, be approved and completed. The purchase price of \$174,000.00 be charged to Account Number CH 5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands);
 - (b) That the Regional Surveyors be directed to provide a survey on or before closing, showing as Part 1, the lands being purchased by the City and Part 2, the remainder of the Owner's lands.

- (c) That the Mayor and City Clerk be authorized to execute the necessary documentation.
- 11.
- (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-Law for the stopping-up and closing of the public walkway in the Eleanor Neighbourhood, between 531 and 535 Eaglewood Drive;
 - (b) That the Commissioner of Transportation/Environmental Services be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-Law;
 - (c) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owners;
 - (d) That the Commissioner of Transportation/Environmental Services register a reference plan under the Registry Act, to delineate the manner in which the closed lands are to be distributed to the abutting owners;
 - (e) That the Commissioner of Transportation/Environmental Services be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Act.
- 12.
- (a) That the City Solicitor be directed to prepare an amendment to By-Law 86-77 (Streets By-Law) to allow the placement of service club signs upon the road allowance, installed by the City of Hamilton, and at the expense of the service club, so as not to interfere with the use of the untravelled portion of the road allowance, upon the issuance of a permit by the Commissioner of Transportation/Environmental Services.
 - (b) That the following agencies be permitted to place service club logos on signs upon the road allowance at locations approved by the Commissioner of Transportation/Environmental Services:
 - (i) Independent Order of Odd Fellows
 - (ii) Lions Club
 - (iii) Rotary International
 - (iv) Optimist Club

13. That the applications to retain inadvertent encroachments at the locations outlined on Schedule "B", appended hereto, be approved during the pleasure of Council provided:

- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City Harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement these agreements.
- (c) That the first year fee and subsequent annual fee outlined in Schedule "B" be set for these encroachments.

14. (a) That the City of Hamilton convey to the adjacent owner 603976 Ontario Limited lands known as Part 1, Plan 62R-11934 in the City of Hamilton, and that the sale price for these lands be \$1.00;

(b) That the City Real Estate Department be authorized and directed to sell Part 1, Plan 62R-11934;

(c) That the Mayor and City Clerk be authorized and directed to execute the documents required in this matter.

All City and Regional servicing costs have been recovered, and the reserve is outside the existing 20.12 metre road allowance.

15. That the City Solicitor be authorized and directed to prepare the necessary By-Law(s) to establish Part 1 of a Reference Plan prepared by Kin Lau, O.L.S. as part of the Harbottle Court road allowance in order to provide access from Chesely Street to Harbottle Estates - Phase 1 subdivision.

16. That City Traffic **By-Law 89-72** be amended as follows:

- (a) (i) That parking be prohibited on the west side of Cathcart Street between Rebecca Street and Wilson Street;
- (ii) That the existing "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation on the east side of Cathcart Street which commences at Wilson Street and extends to a point 91 feet southerly, be extended to Rebecca Street;

- (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of West 3rd Street between McElroy Road and Wembley Road;
- (c) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of San Paulo Drive between San Pedro Drive and the north end;
- (d)
 - (i) That the By-law entry for the implementation of a "No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of East 25th Street between Franklin Road and a point 90 feet southerly therefrom be rescinded;
 - (ii) That a "Permit Parking" regulation be implemented on the east side of East 25th Street between Franklin Road and Darcy Court;
 - (iii) That a "No Stopping" regulation be implemented on the east side of East 25th Street commencing at Franklin Road and extending to a point 50 feet southerly therefrom;
 - (iv) That the Director of Traffic Services be authorized to issue upon request, one parking permit to each of the five abutting residents of East 25th Street between Franklin Road and Darcy Court.
- (e)
 - (i) That the existing "Alternate Side Parking" regulation on Millen Avenue between Brucedale Avenue and Empress Avenue be removed;
 - (ii) That parking be prohibited on the west side of Millen Avenue between Brucedale Avenue and Empress Avenue;
 - (iii) That a "Permit Parking" regulation be implemented on the east side of Millen Avenue between Brucedale Avenue and Empress Avenue;
 - (iv) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to the residents of Nos. 15, 16, 20, 23, 24, 28, and 32 Millen Avenue, and two permits to the residents of Nos. 8, 11, 12 and 19 Millen Avenue.
- (f) That the existing "Permit Parking" regulation on the west side of Dundurn Street South, commencing at a point 86 feet north of Glenside Avenue and extending to a point 21 feet northerly therefrom, be removed;

- (g) (i) That a "Permit Parking" regulation be implemented on the west side of Ray Street North, commencing at a point 51 feet south of York Boulevard and extending to a point 24 feet southerly therefrom;
- (ii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. Steve Doekstator, 112 Ray Street North;
- (h) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Dover Drive commencing at a point 94 feet west of Greenford Drive and extending to a point 40 feet westerly therefrom;
- (i) (i) That the existing parking meter on the west side of Lottridge Street between Barton Street and a point 98 feet southerly therefrom be removed;
- (ii) That, in accordance with a general Traffic By-law provision, a "No Stopping" regulation be implemented on the west side of Lottridge Street between Barton Street and a point 130 feet southerly therefrom.
- (j) (i) That a "No Stopping" regulation be implemented on the west side of Graham Avenue South, commencing at Monterey Avenue and extending to a point 75 feet northerly therefrom;
- (ii) That a "No Stopping" regulation be implemented on the east side of Graham Avenue South, commencing at Monterey Avenue and extending to a point 52 feet southerly therefrom.
- (k) That stopping be prohibited on the north side of Duff Street between Upper James Street and a point 51 feet westerly therefrom.
- (l) That a "No Parking" regulation be implemented on the east side of East 44th Street commencing at Kerr Street and extending to a point 105 feet northerly therefrom.
- (m) That the existing "No Stopping" corner clearance on the south side of Maplewood Avenue which commences at Balsam Avenue and extends to a point 79 feet easterly therefrom, be shortened to 25 feet;
- (n) That westbound traffic on Brock Street be required to stop for northbound and southbound traffic on Hughson Street North;

- (o) (i) That three-way stop control be implemented at the intersection of Gertrude Street and Lyndhurst Street;
- (ii) That northbound traffic on Albemarle Street be required to stop for eastbound and westbound traffic on Gertrude Street and Lyndhurst Street;
- (iii) That northbound traffic on Rowanwood Street be required to stop for eastbound and westbound traffic on Gertrude Street;
- (p) (i) That northbound traffic on Bastille Street be required to stop for eastbound and westbound traffic on Brigade Drive;
- (ii) That three-way stop control be implemented at the intersection of Brigade Drive (west leg) and Bonaparte Way;
- (q) That three-way stop control be implemented at the intersection of Bow Valley Drive (north leg) and Vittorito Avenue;
- (r) That in accordance with the request by the Hamilton Street Railway Company, the following bus stop relocations be approved:

Route 11 Parkdale

- Northbound - Delete - Mount Albion Road, East side, 91 feet north of Hixon Road (F/S).
- Add - Mount Albion Road, East side 39 feet south of Hixon Road (N/S).
- Southbound - Delete - Mount Albion Road, West side, 50 feet North of Hixon Road (N/S).
- Add - Mount Albion Road, West side, 85 feet South of Hixon Road (F/S).

- 17. That a School Crossing Guard be assigned to the intersection of West 5th Street and Chester Avenue during the morning and evening crossing periods only.
- 18. That a School Crossing Guard be assigned to the intersection of Upper Wentworth Street and Vickers Road during the morning and evening school crossing periods only.

19. (a) That approval be given in principle to the formation of an Advisory Committee to deal with issues regarding Pedestrian Safety within Hamilton;
- (b) That the terms of reference and composition of such a Committee be drafted by staff for approval by the Transport and Environment Committee;
- (c) That the Regional Engineering Services Committee be invited to cooperate with the Advisory Committee.
20. That leave be granted to introduce the following Bills:
- (a) **Bill A-69** A By-law to authorize the construction of an independent concrete curb under Section 12 of the Local Improvement Act on the north side of Leaside Road between Brighton Avenue and Dunn Avenue.
- (b) **Bill A-70** A By-law to authorize the construction of an independent concrete sidewalk under Section 12 of the Local Improvement Act on the east side of Nash Road between Barton Street and a point 24m southerly.
- (c) **Bill A-71** A By-law to amend By-law 89-72 to Regulate Traffic.
- (d) **Bill A-72** A By-law to amend By-law 89-72 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

T. Agnello
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

October 21, 1991

"PROPOSED POLICY"

SEWER - STREET TREE POLICY

CITY

Sewer Cleaning When the City receives complaints from a property owner regarding City tree roots impairing the operation of the property owner's sewer, it will be the property owner's responsibility to call a sewer contractor to clean out the property owner's sewer. The sewer contractor will advise the property owner and the City by way of a signed affidavit, of the exact cause of the blockage.

Blockage by Tree Roots If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean out.

Blockage other than Tree Roots If it is determined that the blockage was not caused by the roots of a City tree, the total cost for the clean out will be assumed by the property owner.

50/50 Cost Share If a sewer clean out is required twice or more in one year, as the result of City tree roots, the Director of Public Works will discuss the situation with the property owner and a decision will be made by the Director of Public Works to cost share 50/50 either the removal of the tree and/or replacement of that portion of the sewer line affected by tree roots. The replacement sewer line must meet Region of Hamilton-Wentworth Specifications and a permit must be obtained prior to construction.

Blockage on Road Allowance
NEW **A. If there is a blockage caused by settlement or a collapsed or broken sewer line, the Regional Municipality of Hamilton-Wentworth will pay 100% of the cost to repair the sewer line, regardless of whether or not tree roots are present.**

B. If there is a blockage caused by tree roots, then arrangement will be made to cost share 50/50 for the removal of the blockage.

Upon discussion with the property owner, the Director of Public Works has the option to continue with a scheduled sewer clean out program; the City will assume 100% of the cost of the clean out.

PSU/rb
May 22, 1991

Major change from previous policy

Council Date: October 29, 1991

Schedule "B"

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
147-155 Dundonald Ave Hamilton, Ontario	Brick steps 0.15' x 15.2' Interlocking Brick Patio 12.5' X 60.33'	Fothergill Planning and Development 1015-135 James Street South Hamilton, Ontario L8P 2Z6	\$112.00/20.00	T 103-50(967)
69 Barclay Street Hamilton, Ontario	Concrete Steps measuring 0.84' X 5'	Paul Y. Tokiwa 520 Upper Sherman Avenue Hamilton, Ontario L8V 3L8	\$112.00/20.00	T 103-50(968)
25 West Avenue North Hamilton, Ontario	Wood Steps measuring 2.98' X 5.0' Wood Verandah 0.27' X 16.3'	Milton Lewis 120 King Street West P.O. Box 926, Stn A Hamilton, Ontario L8N 3P9	\$112.00/20.00	T 103-50 (966)
162 Locke Street North Hamilton, Ontario	Concrete Verandah measuring 3.05 m X 21.34 m	Marvin P. Stringer 407-20 Hughson Street South Hamilton Ontario L8N 2A1	\$112.00/20.00	T 103-50 (969)
1657 Main Street East Hamilton, Ontario	Fire Escape on Normanhurst Ave. measuring 3.0' x 20.0'	H. P. Wichmann 309 North Shore Blvd. W. Burlington Ontario L7T 1A6	\$230.00/48.00	T 103 50 (975)
31 Cluny Avenue Hamilton, Ontario	Wood Steps and Porch measuring 0.5' x 20.2'	P. Radzikowski 31 Cluny Avenue L8L 3H7	\$112.00/20.00	T 103 50 (943)

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1991 and respectfully recommends:

1. (a) That approval be given to the Director of Culture and Recreation to apply to the Ministry of Community and Social Services for a one year employment programme grant for a shared position between Whitehern Museum and the Arts.
- (b) That approval be given to the Children's Museum to apply to the Ministry of Culture and Communications for a one year internship grant.
2. That the City of Hamilton endorse the efforts of the Hamilton Professional Baseball Inc. (Hamilton Redbirds) in bringing the Canadian Baseball Hall of Fame and Museum to Hamilton.
3. (a) That the responsibilities associated with the Turf Section of Parks Horticulture (King's Forest and Chedoke Golf Courses, Churchill, Roselawn, Fernleigh and Mount Hamilton Lawn Bowling) be transferred to Parks Facilities under the jurisdiction of the Superintendent of Facilities as outlined on the organizational chart attached hereto as Appendix "A".
- (b) That the action taken by the Director of Public Works to implement this change effective 1991 October 7, be approved.
4. That Bruleville Park located in the Bruleville Neighbourhood between Upper Wellington Street and Upper Wentworth Street, be renamed Bruleville Nature Park.
5. That the newly created park in the Trenholme Neighbourhood be officially named Trenholme Park.

6. That the following artifact be deaccessioned and destroyed:

1969.614 Framed black and white engraving of "Hon. D. McInnis".
7. That the list of wares, attached hereto as Appendix "B", be registered with the Crystal Palace Trademark.
8. (a) That the proposal to construct a Regional Storm Water Management Facility in the Simcoe Street Park, be endorsed
 - such that the facility be buried
 - such that the facility be maintained to completely eliminate any aroma
 - such that this proposal may proceed to an open-house meeting to receive public input and report back to the Parks and Recreation Committee.
- (b) That the Director of Property and the City Solicitor be authorized to prepare a lease agreement between the City of Hamilton and the Regional Municipality of Hamilton-Wentworth for the required land, crediting the 5% Reserve for Parkland.
- (c) That the Director of Public Works be authorized to prepare a grading and landscaping plan for the rehabilitation and enhancement of the site, to be implemented by the Region as a component of the facility development.
9. (a) That Section 19 of the THIRTEENTH Report of the Parks and Recreation Committee approved by City Council on 1991 June 25, authorizing the purchase of a portion of the CP Rail right-of-way on the north side of Main Street West, west of Cootes Drive, subject to an Agreement approved by the City Solicitor, be rescinded in its entirety and that the purchase of the said lands not proceed.
- (b) That the Region, through the Engineering Services Committee's Bicycle Advisory Sub-Committee, be requested to consider the acquisition of this parcel to provide a continuous open space link between Dundas and Hamilton.

10. That the Corporation of the City of Hamilton enter into a contract, satisfactory to the City Solicitor, with John Mokrycke Architect, Hamilton, for a maximum contract price of \$20,000.00 for full architectural and engineering services in the design, contract documentation and administration of construction of a new club house for the Hamilton Tennis Club.
11.
 - (a) That an Option to Purchase by the City of Hamilton, duly executed on 1991 October 11 and scheduled for closing on or before 1992 January 10, by the owner, William Klippenstein, of the lands and premises situated in the Regional Municipality of Hamilton-Wentworth, in the City of Hamilton being composed of part of Lot 59, Registered Plan 228, having a frontage of 9.45 metres (31 feet), more or less, along the southerly road limit of Tecumseh Street, by a depth of 30.7 metres (101 feet), more or less, and comprising a total area of 290.87 square metres (3,131 square feet), more or less, together with all structures erected thereon, formerly the Gardener's Cottage of Sir Allan MacNab and more particularly described as No. 25 Tecumseh Street, be accepted and completed. The purchase price of \$150,000.00 be charged to Account Centre CH00120 (Reserve for Acquisition of Historic Property).
 - (b) That as consideration in the amount of \$2.00 has been paid to the owner pursuant to the Agreement, this amount be deducted from the purchase price.
 - (c) That the Mayor and the City Clerk be authorized to execute the necessary documents.
12. That the Terms of Reference for the Conservation Study, Hamilton Museum of Steam and Technology dated 1991 October 1, attached hereto as Appendix "C", be approved.

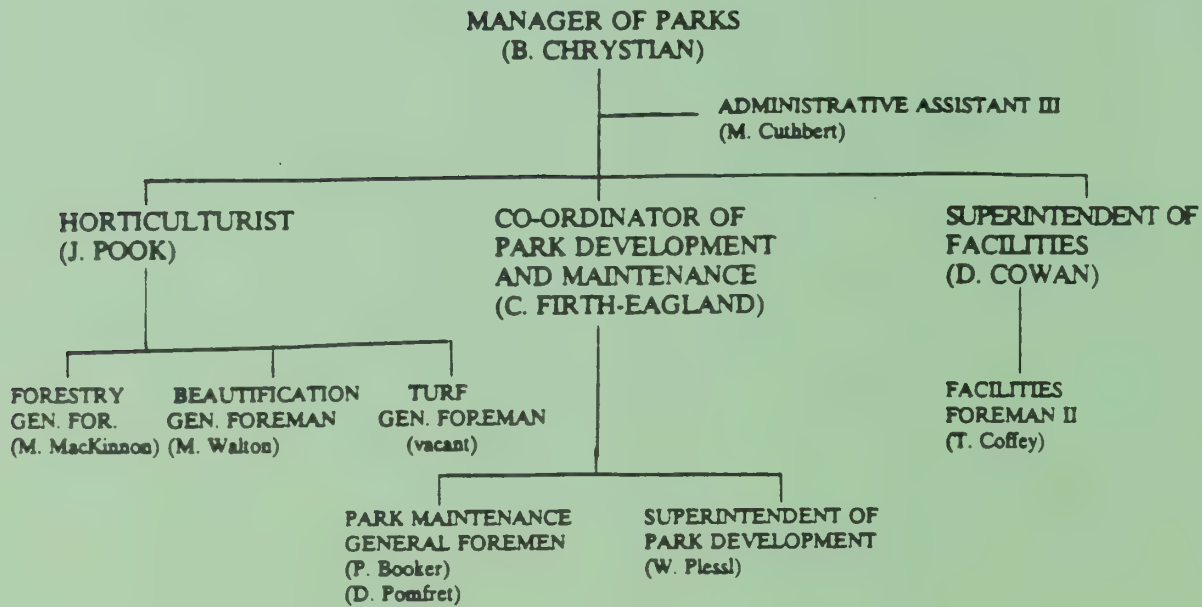
Respectfully Submitted,

K. C. Christenson
Secretary

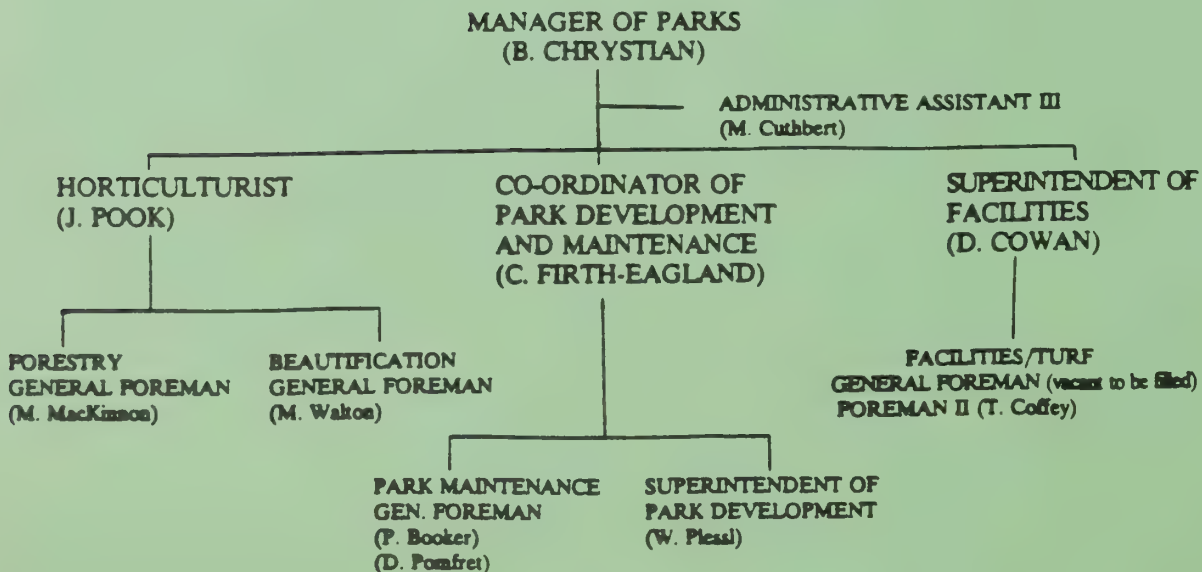
ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1991 October 22

EXISTING STRUCTURE



PROPOSED STRUCTURE



CRYSTAL PALACE LIST OF WARES

toys and games, namely educational toys, mechanical toys, plastic toys, plush toys, stuffed animals, dolls, rag dolls, doll accessories, puppets, squeeze toys, building and construction toys, jigsaw puzzles, geometric puzzles, dice games, lightsticks, electronic games, video games, card games, playing cards, parlour games, board games, action games, puzzles, balls, masks, balloons, riding toys, toy vehicles, paint sets, toy model kits, inflatable toys, stuffed toys, beach toys, toy chests, wind-up toys, battery-operated toys, toy cameras, toy rockets, toy figurines, hobby kits, modelling compounds, model kits, kites, toy trains, toy blocks, talking dolls or toys, jack-in-the-boxes, skipping ropes, sand box accessories, namely sand pails, shovels, moulds, sieves, hoes and ladles, marbles, pogo sticks, tops, shuffle boards, flying discs, rub-on picture kits, chess and checker sets, marionettes, whistles, cribbage boards, paint-by-number sets, pinball games, handheld video games, horseshoes, road racing and train sets, punching bag toys, rattles, bath toys, toy watches, toy telephones, dart games, toy musical instruments, chalkboards, helmets and hats and masks, records, tapes, toyboxes, flash cards and electronic toys;

mirrors, cosmetic cases, barrettes, pony tail elastics, clips and bobby pins, brushes, combs;

infant accessories, namely infant clothing, infant towels, infant footwear, baby bibs, bonnets, bennie caps and infant headwear;

sporting goods and recreational equipment, namely golf balls, golf markers and tees, squash balls and racquets, badminton birds and racquets, racquetball balls and racquets, tennis balls and racquets, hockey sticks and pucks, baseballs and bats, baseball hats and gloves, footballs, bicycle accessories, namely reflectors, decals and noise makers, bicycle helmets, football, hockey and baseball sweaters, beachballs, beach umbrellas, soccer balls, rugger balls, volley balls, basketballs, headbands, wristbands, and athletic visors;

tickets and vouchers for the performances, concerts and other entertainment events performed and/or arranged by others;

clothing and all climate clothing, wearing apparel, namely t-shirts, aprons, bibs, sweatshirts, tank tops, swimsuits, hats, toques, bonnets, berets, caps, scarves, fashion squares, neckties, ties, fashion bows, cravats, ascots, dickies, belts, cummerbunds, sunvisors, uniforms, shirts, sweaters, suspenders, sport shirts, gloves, mittens, handkerchiefs, straw hats, turtlenecks, knit shirts, woven shirts, jogging suits, coveralls, jumpsuits, jackets, tops, bottoms, namely slacks, shorts and pants, blouses, polo shirts, golf shirts, underwear, coats, parkas, warm-up suits, bathrobes;

footwear, namely shoes, boots and socks; shoelaces;

food products, namely quick-service convenience food, namely salads and egg dishes; cakes, cookies, tarts, pies, pastries, sweetbreads, muffins, doughnuts, rolls, bread, soups, nuts, pickles, relishes, biscuits, crackers, chewing gum, confectioneries, namely chocolate, chocolate bars, candy, lollipops and bubble gum, dairy products namely milk, chocolate milk, yogurt, ice cream and ice cream bars, sugar, cocoa, potato chips, frozen bars, hot dogs, hamburgers, mustard, ketchup, edible seeds, meats;

apple juice, orange juice, fruit juices, vegetable juices, flavoured water ice, fruit drinks, soft drinks; imported and domestic distilled spirits and liqueurs; wines; beers;

printed goods, office and stationery supplies, namely calendars, calendar pads, agendas, photo albums, two-dimensional stickers, three-dimensional vinyl stickers, envelopes, greeting cards, bulletin boards, note pads, writing paper, posters, post cards, guest books, invitations, letter openers, memo pads, note books, paperweights, bumper stickers, crests, heat-sealed badges and emblems, iron-on decals, stickers, seals, vinyl stickers, pressure-sensitive labels, transfers, scrapbooks, ballpoint pens, felt pens, crayons, fountain pens, rubber stamps, stamp albums, tags, trading cards, stamp pads;

school kits, namely binders, blackboards, blotters, bookmarks, book covers, note paper, clip boards, desk sets, pens, pencils, diaries, erasers, staplers, staples, calculators, pencil cases, pencil boxes, pencil sharpeners, rulers, tags gummed labels, decals;

packaging and wrapping materials, namely gift wrapping, paper, ribbons, bows, string and stickers;

publications namely books, children's books, cut-out books, pop-up books, read-along books, comic books, periodicals, souvenir books, colouring books, story books, magazines and newspapers, coffee table books and tabloids;

posters, paper fans, decorative fans, cardboard auto windshield shades, prints, paintings, brochures, menus, tray liners, sun glasses, magnifying glasses, photographs, and slides;

luggage and accessories, namely travelling cases, handbags, wallets, billfolds, tote bags, athletic bags, duffle bags, shoulder bags, change purses, card holders, garment bags, purses, glasses cases, flight bags, luggage tags, purse mirrors and compacts, handbags, school bags, change holders, beach bags, overnight cases, comb cases, plastic and vinyl cases, and equipment bags; watch straps and umbrellas;

souvenir items, namely pennants, flags, banners, balloons, buttons, statuettes, key chains, key fobs, key tags, bottle openers; match books, lighters, lightsticks, flash lights, engravings, stone etchings, souvenir albums, sculptures, Christmas ornaments, prefabricated toy models of vehicles, licence holders, badges, car emblems, piggy banks, bottles and flasks, plaques, carvings, inflatables, namely bath toys and plastic toys, transfers, labels, ribbons, awards of merit to be sold to others, figurines, miniatures, teaspoons, thimbles, belts, mascots being life size or replicas thereof for sale by the applicant or for events held at the stadium, trophies for sale by the applicant or for events held at the stadium, baskets, nail clippers, patches, crests, trinkets, stadium replicas, binoculars; wooden boxes;

seat cushions, animal blankets, artificial flowers and plants, bells, coins, commemorative plates, maps, kaleidoscopes, novelty hats;

jewellery, namely bracelets, brooches, chains, charms, cuff links, earrings, lapel pins, locketts, medals, medallions, money clips, music boxes, necklaces, pendants, pins, rings, tie bars, tie clasps, tie tacks and tie pins, watches and straps, wrist bands, watch chains;

carving boards, pot holders, jar openers, fly swatters, oven mitts, magnets, paper weights, ice buckets, lunch boxes and pails, coasters, cheese boards, place mats, paper towels, napkins, serviettes and envelopes; table cloths, paper towels, dish towels, spice mills, tray tables, clocks, candles, candle holders;

car deodorants, car ornaments, cushions, mirrors;

crystal glassware and glassware, namely drinking and decorative glasses, cups, mugs, saucers, beer mugs, steins, plates and bowls, shotglasses, shooter glasses, salt and pepper sets; pitcher sets, bud vases, swizzle sticks, sculptured glass; stained glass;

ceramic ware and china, namely pottery, knickknacks, ceramic and china cups, vases and ceramic and china tableware;

porcelain ware, namely coffee mugs, beer steins, minimugs, porcelain ashtrays, toothpick holders, porcelain salt and pepper shakers, porcelain candy dishes, porcelain bud vases and porcelain bowls;

cutlery, serving platters, ashtrays, vases, decanters;

linens, namely towels and blankets; pillows, cushions; bedspreads, shams, pillow shams; drapery, curtains;

cameras, phonograph records, records and read-along books, cassettes and books, albums, cassettes and picture discs; video and sound tapes, cassettes, compact discs; holograms;

power tools and accessories;

cars, trucks, tractors; motor fuels; lubricants;

tobacco products;

sundries, namely radios;

health and beauty aids, namely cosmetics, namely, lip sticks, shadows, foundation, mascara, blush, eye lining pencils, lip lining pencils, nail polish, false eye lashes, face powder, cleansers, astringents and moisturizers, shampoos and conditioners, soaps, bath oils, body lotions, bath lotions, deodorant, aftershave, perfumes and colognes;

telephones.

Appendix "C" as referred to in
Section 12 of the Twentieth Report
of the Parks and Recreation Committee

*CONSERVATION STUDY
FOR THE
1859 HAMILTON WATERWORKS
TERMS OF REFERENCE
HAMILTON MUSEUM OF STEAM AND TECHNOLOGY
3 OCTOBER, 1991*

TABLE OF CONTENTS

1.0	GENERAL INTRODUCTION	1
1.1	Introduction	1
1.2	Cultural Services, Department of Culture and Recreation	1
1.3	A Short History of the Site	2
1.4	Hamilton Museum of Steam and Technology Operation	4
1.5	Restrictions on Maintenance	4
1.6	Buildings	6
1.7	Landscape Features	7
1.8	Present Issues	7
1.9	Objectives	8
2.0	CONSERVATION STUDY REQUIREMENTS	9
2.1	Tasks	9

Conservation Study

1.0 GENERAL INTRODUCTION

1.1 Introduction

- 1.1.1 The Cultural Services Division of the Department of Culture and Recreation of the City of Hamilton invites qualified consultants to undertake a conservation study at the Hamilton Museum of Steam and Technology.
- 1.1.2 The purpose of the study is: to analyze the architectural, structural and engineering problems associated with the historic structures and engines as listed in 2.1.3 of the museum; to determine the feasibility of overcoming these problems; and to develop strategies to correct them in a manner consistent with the extreme historical value of the site.
- 1.1.3 The report will form the basis of negotiating a cost sharing agreement between the City of Hamilton and the Canadian Parks Service to provide funding for restoration of the historic structure including the chimney, the pumphouse and the boilerhouse.
- 1.1.4 The report is also guide future preservation, conservation, maintenance and site development work at the museum.

1.2 Cultural Services, Department of Culture and Recreation

- 1.2.1 The Department of Culture and Recreation is dedicated to contributing to the quality of life for the citizens of, and visitors to, the City of Hamilton, through the operation of recreational and cultural facilities (i.e. museums and historic sites), and through a variety of public and educational programmes and events.
- 1.2.2 The Cultural Services Division oversees the operation of the museums. In matters of policy the Division receives guidance from the Hamilton Historical Board, which is composed of 13 interested citizens appointed by the City, and 2 members of City Council.
- 1.2.3 The City's museums comprise four historical museums (Whitehern Historical House, Dundurn Castle, the Hamilton Military Museum, and the Hamilton Museum of Steam and Technology) which preserve and interpret various themes of the history of Hamilton, and the Hamilton Children's Museum which offers a hands-on participatory programme where children learn by

discovery. In 1990, the City's museums had over 130,000 visitors.

1.3 A Short History of the Site

- 1.3.1 The Hamilton Museum of Steam and Technology is housed in the first waterworks built for the City of Hamilton in 1859. The waterworks brought protection from fire and water-borne infectious diseases (such as cholera). The waterworks was the second municipally built waterworks in Canada and the only waterworks in North America to survive intact from this era. The waterworks contains two 70 ton Woolf Compound Walking Beam Steam Pumping Engines.¹ The pumps originally drew water from Lake Ontario and raised it to a reservoir 190 feet above the lake. Water was gravity fed to the city from that point.
- 1.3.2 In response to increased demands for water (primarily for commercial and industrial purposes), a number of changes to the system were made in 1882. The original pumps were replaced by more effective versions. The 4 Cornish boilers were replaced by 2 Single Horizontal Return boilers and the steam pressure was increased from 30 to 60 psi. Pumping capacity was raised from 2.6 to 5.2 million gallons per day. The original waterworks operated continuously from 1859 to 1910 and, as an emergency back-up system, until 1938.
- 1.3.3 In 1887, in response to yet more demand (water use increased 250% between 1875 and 1885), a second pumping station was built immediately north of the original.² This building contained two horizontal cross-compound condensing steam engines and pumps. This station was capable of pumping 8 million gallons of water per day. The station worked in tandem with the original station for many years and was demolished in the 1960s.
- 1.3.4 In 1910, the first electric waterworks was built immediately east of the original waterworks. This building was replaced three years later with a much larger facility.
- 1.3.5 By the 1920s, the site contained: the original 1859 pumphouse, chimney and boiler house; an 1860 Woodshed

¹Normally referred to as the Gartshore engines, after John Gartshore of Dundas, Ontario, the builder.

²Known as the Osborne-Killey station, after the manufacturer, a Hamilton company.

(one half of which was enclosed in the 1920s as a workshop); an 1859 house occupied by the Chief Engineer; 1859 houses for other staff; a series of coal sheds and weigh scales; a rail siding; an 1887 pumphouse and boiler house; a carpenter's shed; and a 1913 pumphouse (with an attached shed containing a small Worthington pump). By 1970, many have these structures had been removed.

- 1.3.6 Starting in the 1970s, efforts began to ensure the preservation of the 1859 Waterworks. The waterworks was opened as a museum in 1983. At that time, the North Gartshore engine was periodically operated (using steam) as a demonstration.
- 1.3.7 In 1988, in the face of concerns for the long term preservation of the site, the operating engine was shut down pending the results of conservation studies.
- 1.3.8 Since 1988, the museum has undertaken a extensive restoration of the exterior masonry of the pumphouse and boiler house and commissioned a preliminary conservation study'. A small percentage of the original sandstone has been replaced and 100% of the pointing (most of recent origin) was replaced.'
- 1.3.10 In 1990, the 1913 Building was donated to the museum by the Regional Municipality, which had been using the building as a water meter repair shop. The museum immediately moved offices, art room, workshop and some artifact storage facilities into the building.
- 1.3.11 In 1990, the site (in particular the pumphouse, boiler house and chimney) was designated as an exceptional site of national significance as a priority for a cost-share agreement by the Historic Sites and Monuments Board of Canada. Under the terms of the cost share programme, a complete conservation study is required as a preliminary to establishing specific terms of agreement.

'For detailed descriptions of the work conducted see: Weaver, Martin, "A Promise of Power: A Preliminary Conservation Study of the Old Hamilton Waterworks", 1989; Letter, Martin Weaver to Ian Kerr-Wilson, 28 November 1990; Report, Paul Stumes Historic Assets Conservation Consultants, 24 April 1990; Barbour, Alex and Ken Elder, "A Preliminary Investigation of the Old Hamilton Waterworks Pumping Station on Woodward Avenue," 1990.

'Much of the work was required because of unsympathetic water/sand blasting and repointing work carried out some time before the site opened as a museum.

1.4 Hamilton Museum of Steam and Technology Operation

1.4.1 The site and the magnificent engines which they contain are without parallel on the continent. As such, the site is a recognized national (even international) landmark. The waterworks has been declared a National Historic Site and a National Historic Civil Engineering Site. As well, portions of the structures are protected by an easement under the Ontario Heritage Act.

1.4.2 The Museum was established primarily to preserve the 1859 Hamilton Waterworks Pumping Station consisting of the Engine House, the Gartshore Beam Engines, the Boiler House, the chimney and Woodshed.

In addition, the museum is a community based heritage institution providing a balanced range of programmes including the preservation and communication of the Greater Hamilton area's industrial, technological, labour and social heritage.

1.5 Restrictions on Maintenance and Preservation

1.5.1 The Hamilton Museum of Steam and Technology has a collection of several thousand items. However, the most important artifacts are the buildings and engines. The built architectural and engineering features of the site are subject to the same museologically approved standards of preservation and conservation as the more traditional artifacts in the collection. The standards include the following criteria:

- * To preserve the building with minimal intervention, maintaining the original fabric wherever possible;
- * To practice preventive maintenance routines in order to best preserve the original fabric;
- * To document any maintenance work carefully so that original work can be distinguished from replacement work;
- * To use non-abrasive techniques and to use treatments which are reversible, thereby not subjecting the fabric to damage and permitting it to be returned, as nearly as possible, to its original as-found state;
- * To complete and provide research materials so that all maintenance work is done using historically accurate methods and materials (where appropriate).

1.5.2 The engines and auxiliaries, in particular, are in a very largely unaltered state since their last working condition and are worthy of very special consideration and care. They are very probably the oldest steam engines surviving in Canada. Extensive research, new and innovative approaches may be required to deal with the unique condition of these engines.

1.5.3 As well, the buildings and engines are covered by various levels of heritage protection. The following are protected by easements under the Heritage Act:

- * 1859 Pumphouse interior and exterior (including machinery);
- * 1859 Boiler House exterior; and
- * 1859 Woodshed exterior.

All alterations to these structures must be approved by the Ontario Heritage Foundation.

1.5.4 The 1913 Building is designated and protected under the provisions of a Historical By-Law.

1.5.5 Alterations to surfaces and structures covered by the heritage easement (1.5.3) must be approved by the Ontario Heritage Foundation.

1.5.6 The site is a community oriented facility, open to the public (either as casual visitors or booked groups) every day. As such, some level of use and degradation of the site and machinery, through public contact, is inevitable.

The goal of any maintenance/preservation approach will balance the long term preservation of the site and its machinery with programmes to effectively interpret the site to visitors.

Therefore, any maintenance/preservation approach will assume that, at the end of a restoration programme(s):

- * the South Gartshore Engine and Auxiliaries will be stabilized and minimally restored such that adequate maintenance schedules can be carried out;
- * the North Gartshore Engine and Auxiliaries will be stabilized and restored to an appearance of steam operable condition and fitted with an electric friction drive and that, under normal circumstances, the engine will be operated, in a limited manner, using the electric drive. The North engine will remain dry, inhibited and lubricated where necessary to run with

electric power. Consideration should be given to the feasibility of operating the engines under steam on occasion.

- 1.5.7 Any preservation/maintenance schedule must balance care for the buildings and engines with care for other artifacts which may be placed on exhibit in various buildings from time to time.

1.6 Buildings

- 1.6.1 For detailed summaries of most of the conditions of the Pump House, the Boiler House and the Woodshed and the emergency work on the chimney see the support documents.¹

- 1.6.2 Each building is heated by steam radiators using steam generated by the adjacent Sewage Treatment Plant.

- 1.6.3 Each building is protected by a electronic security system using a combination of contact points and infra red sensors and heat detectors. There are no fire suppression systems on the site.

- 1.6.4 The site has recently installed a new 200 amp/600 volt electrical service. An additional 743 amp/600 volt service is available at the site's transformer.

The existing electrical systems (all connected to a single 100 amp 220 volt service) will be connected into the new service (through transformers) as funding permits.

- 1.6.5 The carpenter's shed and the 1913 building have cold and hot water supplies.

- 1.6.6 There are two buildings not described in detail in existing studies: the 1920s carpenter's shed and the 1913 building. The 1920s carpenter's shed replaced an earlier shed which dates from the very early years of the site. It is red brick construction (with apparently no insulation or vapour barrier) with metal flashings. The building is a single storey with a full earthen floor basement. The building contains the site's public washrooms, library and archives.

The 1913 building is also of red brick construction (with minimal internal wood framing, insulation or

¹See Weaver, "Promise of Power"; Weaver, Letter, 1990; Barbour and Elder.

vapour barrier). The building originally contained electric pumps and steam turbine pumps. This material was removed around 1970 and the building was converted to a repair shop for water meters. A small corner of the building was converted to office space.

The building now contains artifact storage space, office space, workshop space and art room space. In the future, following extensive upgrading, some part of this building may become permanent exhibit space.

Attached to the 1913 building is a shed which contained a small pump used to distribute water amongst the storage sumps of the installation. The building of red brick construction with an earthen floor. The building now contains the exhaust for the steam radiators in the 1913 building. As a result there is extensive damage to the brick work. The building is used for limited storage.

1.7 Landscape Features

- 1.7.1 The landscape of the Hamilton Waterworks has been dramatically altered over the years. A complete site history has not been developed. In the course of the site's history, the ground has been disturbed, on many occasions, by the construction of new water mains. Many of the valve spindles, associated with this work survive. As they are part of the use period of the site, they too should be preserved. Roadways have been paved, sheds and buildings have been removed. Some original vegetation has been removed as well.

In sum, although not radically altered in surface appearance in most cases, few areas of the grounds remain undisturbed.

Any long term restoration of the landscape must take into account the preservation of use period changes. As well, alteration to the appearance of the buildings, recommended by the conservation study, must be sympathetic to the evolving historic landscape of the site.

1.8 Present Issues

- 1.8.1 The pump base area of the 1859 pump house is consistently flooded with water (between 1/2" and 8"). Testing indicates that the water is ground water. The dampness is causing significant corrosion on the engines and auxiliaries. Temporary sump pumps are in

- place to stabilize the situation. A long term solution is required.
- 1.8.2 The South Gartshore Engine will not rotate. At some point since 1938 (the last year in which the engine ran), this engine has corroded to the extent that it can no longer move. The engine must be stabilized and restored to the extent that will permit long term maintenance.
- 1.8.3 The North Gartshore Engine was somewhat altered in order to allow steam operation. Where possible and appropriate modern intrusions should be removed and a preservation and maintenance regime established.
- An appropriate method of electric operation must be developed.
- 1.8.4 Both 1.2 and 1.3 will require extensive investigation.
- 1.8.5 None of the buildings have provisions for environmental controls. There is little or no insulation and vapour barriers.
- 1.8.6 Emergency stabilization of the chimney was carried out in late 1990. A long term solution is required. An investigation and restoration of the exterior is also required.
- 1.8.7 The carpenter's shed and the 1913 building have not been investigated for structural shortcomings. Visual inspections indicate broken flashings, severe corrosion of some steel supports and extensive salt deposits on brick work.

1.9 Objectives

The primary objective of this study is the production of a comprehensive conservation plan which will:

- * guide future structural, systems, preservation, restoration, conservation and maintenance work on the buildings and engines comprising the Hamilton Museum of Steam and Technology in the foreseeable future;
- * provide a prioritized schedule for the future work;
- * provide a basis for developing cost estimates, drawings and specification documents for future work;
- * provide a basis for negotiating a cost share agreement with the Canadian Parks Service and securing additional grant funding from other levels of government; and

- * provide sensitive and museologically sound recommendations.

2.0 CONSERVATION PLAN REQUIREMENTS

2.1 Tasks

2.1.1 The consultant shall complete, or have completed on the City's behalf, the following tasks in a professionally competent manner using appropriate methodologies, finding an appropriate balance between preservation, interpretation and planned museum space applications:

- * a review and summary work of earlier reports;
- * a review of conservation and maintenance work carried out since the preliminary conservation reports including work on exterior restoration, drains, woodshed, chimney and electrical service;
- * a detailed description of the deficiencies to the structure, fabric, architectural details, engines and auxiliaries of the site's buildings (current and projected) plus a description of the causes and sources of these failings, including (where necessary) diagrams and photographs;
- * a detailed description of any deficiencies and inadequacies (current and projected) of the site's service system (water, electrical, heating, safety, security);
- * a detailed description (based on on-site research) of strategies for overcoming the above problems balancing effectiveness, historical appropriateness, museological soundness, and cost effectiveness;
- * a recommended time table in order of urgency, budget projections and realistic alternative strategies;
- * a building maintenance manual for each structure and an engine maintenance manual for each engine;
- * each engine manual will include specifications for lubricants and protective coatings;
- * an estimate of additional operating costs and issues (current and projected) associated with the above work.

2.1.2 Specific attention will be given to:

- * determining, in consultation with museum staff, the most appropriate manner for operating the Gartshore engines and auxiliaries and developing preservation, maintenance and conservation programmes on the basis of the mode of operation;
- * conducting an investigation into ground water levels around site and recommending solutions;
- * developing stabilization, and maintenance, programmes for the north and south Gartshore engines and auxiliaries;
- * developing stabilization, preservation and maintenance programmes for the chimney, boiler house and pumphouse.

2.1.3 For this study, the site's structures include:

- * chimney exterior and interior;
- * south Gartshore engine and auxiliaries;
- * north Gartshore engine and auxiliaries;
- * pumphouse interior and exterior; and
- * boilerhouse exterior and interior.
- * woodshed interior and exterior.
- * 1913 Building (including the Worthington Shed and surviving equipment and auxiliaries)
- * Carpenter's Shed

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTEENTH** Report for 1991 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for 7 Emerald Street South.
2. That a Commercial Facade Loan in the amount of thirty thousand dollars (\$30,000.) be approved for Jacob Rozencweig, 1008, 1010 King Street West, and 5, 7, 9, 11 Marion Avenue, Hamilton. The interest rate will be 4-3/4 percent, amortized over 10 years.
3. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to the Trustees of the Church of the Ascension, 64 Forest Avenue, Hamilton.
4. That a Designated Property Grant in the amount of one thousand, five hundred and fifty dollars (\$1,550.) be provided to the James Street Baptist Church, 98 James Street South, Hamilton.
5. That the City of Hamilton accept the sum of \$13,125. as cash payment in lieu of the 5% land dedication in connection with "Harbottle Estates - Phase 1", Hamilton, being the cash payment required under Section 50 of the Planning Act. The lands of Harbottle Estates - Phase 2 are located west of Chesley Street and north of Stone Church Road West in the Gourley Neighbourhood.
6. That the City of Hamilton accept the sum of \$8,390. as cash payment in lieu of the 5% land dedication in connection with "Eastgate Heights Extension", Hamilton, being the cash requirement under Section 50 of the Planning Act. The lands of Eastgate Heights Extension are located west of Centennial Parkway and south of Barton Street in the Kentley Neighbourhood.

7. (a) That an Agreement by Owner to Accept Compensation for the property of Joseph Sprackman & Associates Inc., executed on 1991 October 7 and scheduled to close on 1991 December 13, be accepted and completed. The subject property being Municipal Number 402 Birch Avenue, having a total frontage along the southerly limit of Birch Avenue of 7.62 metres (25 feet), more or less, shown as Part 3 on Expropriation Plan No. 79837, together with all structures erected thereon. That the total compensation of \$39,200. along with all associated costs be charged to Account Number CF 55903 08750001 (Land Acquisition - Enclave Clearance Program) and that demolition of the structure at 402 Birch Avenue take place upon closing.
 - (b) That the Mayor and City Clerk be authorized to execute this Agreement on behalf of the City.
8. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 1224 Stone Church Road East, Hamilton, from the construction covenants to the City as contained in Instrument Number 292187 A.B., registered on 1973 May 14.
9. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 766 Burlington Street East, Hamilton, from the construction covenants to the City as contained in Instrument Number 379993 C.D., registered on 1986 September 19.
10. That the City Solicitor be directed to prepare a by-law to delete Schedule "A" of By-law No. 91-128 and replace it with a revised Schedule "A" to correct technical errors in the dimensions for the front lot line of Block "2" and the west side lot line of Block "4", for the lands municipally known as 829, 837, 845 and 867 Rymal Road East, as shown on the attached map marked as Appendix "A".
11. That approval be given to Application 25CDM-91003, 886417 Ontario Inc., owner, to establish a draft plan of condominium located on the north side of Rymal Road East, east of Upper Gage Avenue, subject to the following:
 - (a) That this approval apply to the plan prepared by A. T. McLaren Limited, dated 1991 February 5, showing 18 apartment units.

12. WHEREAS a vote of the Jamesville Business Improvement Area Merchants was held on 1991 October 9, in accordance with the resolution adopted by City Council on 1991 September 24; and,

WHEREAS the Merchants by an overwhelming majority indicating their opposition to a Jamesville Business Improvement Area; and,

WHEREAS the resolution adopted by City Council on 1991 September 24, provided for City Council to abide by the wishes of the majority of the Merchants;

THEREFORE BE IT RESOLVED that the Jamesville Business Improvement Area be abolished and that the City Solicitor be authorized and directed to prepare a By-law to repeal By-law No. 85-198 "Designating the Jamesville Business Improvement Area" and By-law No. 86-74 "Establishing a Board of Management" for submission to City Council; and,

FURTHER that staff be authorized and directed to take the steps necessary for the City of Hamilton to assume the assets and liabilities of the Jamesville Business Improvement Area in accordance with Section 217 of The Municipal Act.

13. That City Council, after considering the offer of C.P. Rail to delay demolition of the former T.H. & B. Roundhouse provided that the City assumes liability for this building, advise C.P. Rail that the City will not assume any liability for this building.
14. That City Council request the Provincial Government's Ministry of Housing to amend the eligibility criteria for the Ontario Home Renewal Programme (OHRP) to enable the City of Hamilton to process rehabilitation loans and grants from the existing municipal recyclable accounts.
15. That the City Solicitor be directed to prepare a by-law for presentation to City Council to repeal Zoning By-law No. 91-144, approved by City Council on 1991 July 30, pursuant to Section 34 of the Planning Act.
16. That approval be given to register the plans of Site Plan Control Application DA-91-40 by DeSantis Group Inc., owner of lands at 18 Main Street East, to amend the plans of Site Plan Control Application DA-88-136, registered on title on 1990 December 5, as Instrument No. LT 291766.

17. That the Commercial Improvement Programme Selection Criteria that was amended by City Council at its meeting held 1990 February 27, be further amended to allow for partial funding of Consultants' studies within Business Improvement Areas (B.I.A.'s) according to the following criteria:
- (a) The Commercial Improvement Programme would fund consultants' studies at 25% of the total cost to a maximum of two thousand, five hundred dollars (\$2,500.).
 - (b) Prior to approving a B.I.A.'s submission for financial assistance, the B.I.A. must demonstrate that all other sources of funding have been exhausted.
 - (c) The consultant hired to carry out the Study must provide a written and verbal report on their progress to the Downtown Action Plan Co-ordinating Committee (DAPCOM) and must be willing to liaise directly with both the City and the B.I.A. for input on the project.
18. That approval be given to City Initiative 91-F, for a change in zoning from "RT-10" (Townhouse) District, modified to "DE" (Low Density Multiple Dwellings) District, modified, to permit development of the subject lands for a 4 storey, 57 unit senior citizens apartment building, by the Municipal Non-Profit (Hamilton) Housing Corporation, for property located at 1100 Limeridge Road East, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That the subject lands be rezoned from "RT-10" (Townhouse) District to "DE" (Low Density Multiple Dwellings) District;
 - (b) That the "DE" (Low Density Multiple Dwellings) District regulations, as contained in Section 10A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 10A of By-law No. 6593, only a multiple dwelling containing not more than 57 Senior Citizens' Dwelling Units shall be permitted;
 - (ii) For the purposes of this By-law, a Senior Citizens' Dwelling Unit shall mean a separate set of living quarters, operated by a non-profit housing corporation which receives assistance under the National Housing Act or other non-profit housing programs, for qualifying senior citizens, and which shall include at least one room and separate kitchen and sanitary conveniences with a private entrance outside or from a common hallway or stairway inside.

- (iii) That notwithstanding Section 10A(2) of By-law No. 6593, a maximum height of not more than four storeys shall be permitted;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1251, and the subject lands on Zoning District Map E-59B be notated S-1251;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59B for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
 - (f) That the approved Trenholme Neighbourhood Plan be amended by redesignating the subject lands to "Low Density Apartments".
19. That amended Zoning Application 91-41, Tyka Investment Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, to permit development of the subject lands for eighteen townhouse condominium units, for property located at 1158 Upper Wentworth Street, as shown on the attached map marked as Appendix "C", be denied for the following reasons:
- (a) It conflicts with the intent of the Official Plan in that it is an intrusion of townhouses into the established development pattern of small lot single-family detached homes in this area of the neighbourhood. In this regard, the proposal would contribute to an indiscriminate mix of housing types;
 - (b) It conflicts with the intent of the approved Crerar Neighbourhood Plan which designates the land as "Single and Double Residential";
 - (c) Approval of the application would prejudice the development of the adjoining lands to the west in accordance with the draft approved plan of subdivision and the approved Crerar Neighbourhood Plan; and,
 - (d) Approval of the application would encourage other similar applications which, if approved, would alter the character of the area and undermine the approved Crerar Neighbourhood Plan.

20. That approval be given to Zoning Application 91-48, Rymal Gardens Inc., owner, for a change in zoning from "RT-10" (Townhouse) District to "RT-20" (Townhouse - Maisonette) District, to permit the development of townhouses, for property located on the east side of the proposed extension of Upper Wentworth Street, in the area south of Rymal Road East, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the subject lands be rezoned from "RT-10" (Townhouse) District to "RT-20" (Townhouse - Maisonette) District;
 - (b) That the "RT-20" (Townhouse - Maisonette) District regulations, as contained in Section 10E of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement;
 - (i) That notwithstanding Section 10E(2)(a)3. street townhouses shall be prohibited fronting onto the proposed extension of Upper Wentworth Street;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1252, and that the subject lands on Zoning District Map E-27E be notated S-1252;
 - (d) That the City Solicitor be directed to prepare a By-Law to amend Zoning By-Law No. 6593 and Zoning District Map E-27E for presentation to City Council; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
21. That Zoning Application 91-35 R. Kozell, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, to legalize the established four-family dwelling, for property located at 77 Graham Street North, as shown on the attached map marked as Appendix "E", be denied for the following reasons:
- (a) It is contrary to the intent of the Official Plan, in that it represents the introduction of a four-family dwelling into an area predominately occupied by single-family and two-family dwellings and would contribute to an indiscriminate mix of housing types;

- (b) The proposal conflicts with recently adopted City Council policy on the "Housing Intensification Strategy" respecting Residential Conversions, in that the "D" District would only permit one accessory apartment as-of-right in all existing single-family dwellings, and two of the converted dwelling units would not meet the minimum 65m² (700 sq. ft.) floor area requirement;
- (c) It is an overintensification of use, in that adequate off-street parking cannot be provided (five spaces required - 3 spaces possible); and,
- (d) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the By-Law and change the character of the neighbourhood.

22. That leave be granted to introduce the following Bills:

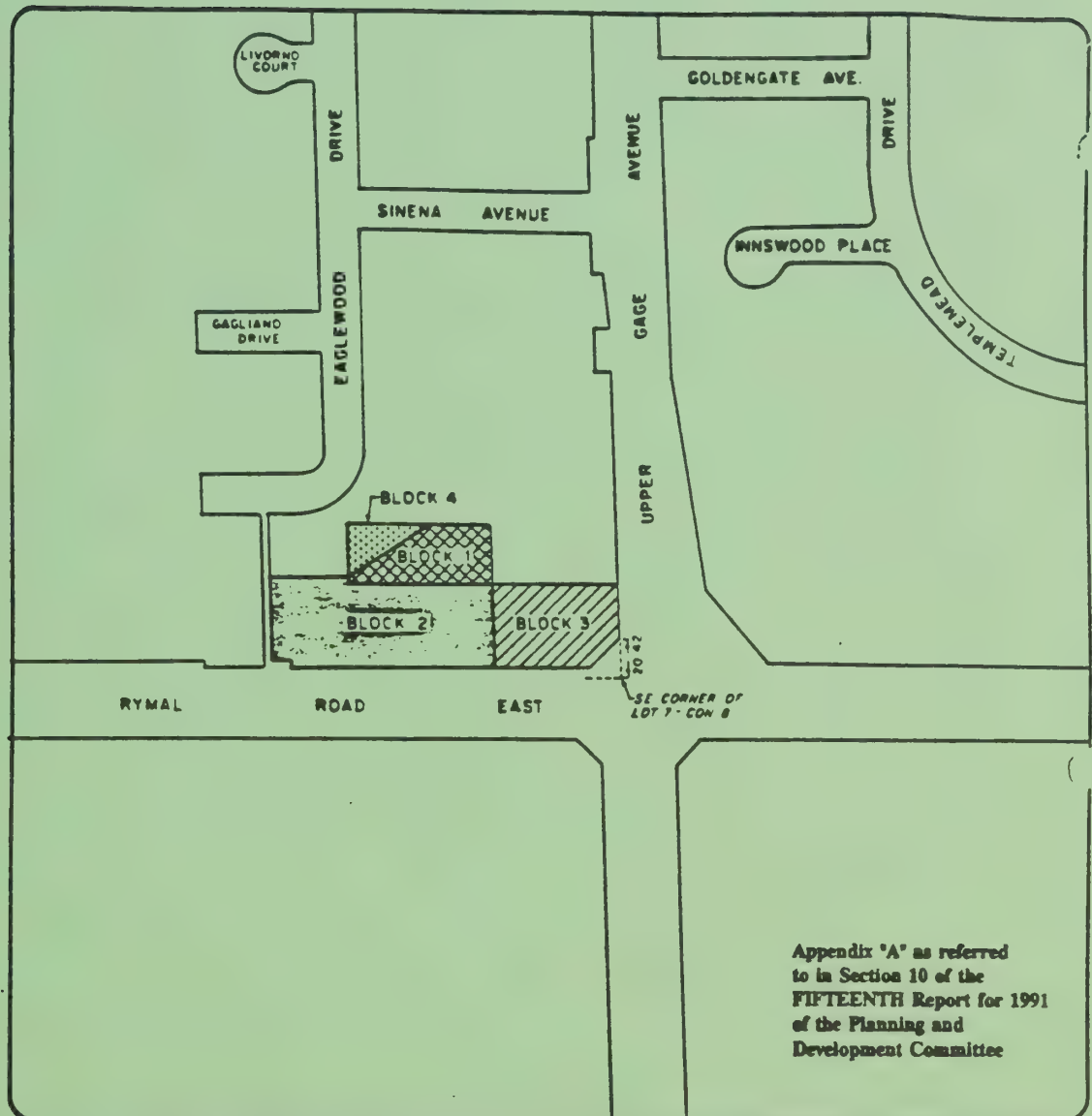
- (a) Bill C-78 A By-law to amend Zoning By-law No. 6593 and to repeal Zoning By-law No. 90-31 respecting lands located at Municipal Nos. 25 and 27 West Avenue North.
- (b) Bill C-79 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 193 Stone Church Road West.
- (c) Bill C-80 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 297 Stone Church Road West.
- (d) Bill C-81 A By-law to amend Zoning By-law No. 6593 and to repeal By-laws No. 88-205 and 90-273 respecting land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East.
- (e) Bill C-82 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Rice Avenue, south of Chedmac Drive.

- (f) Bill C-83 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 170 Brockley Drive.
- (g) Bill C-84 A By-law to dissolve the Jamesville Improvement Area and the Board of Management thereof.

Respectfully submitted,

ALDERMAN F. LOMBARDI, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Charlene J. Coutts
Secretary
1991 October 23



City of Hamilton

Key Map

to By-Law No. 91...12.8.

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, Modified



"C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District, Modified



"C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, Modified



"AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

North

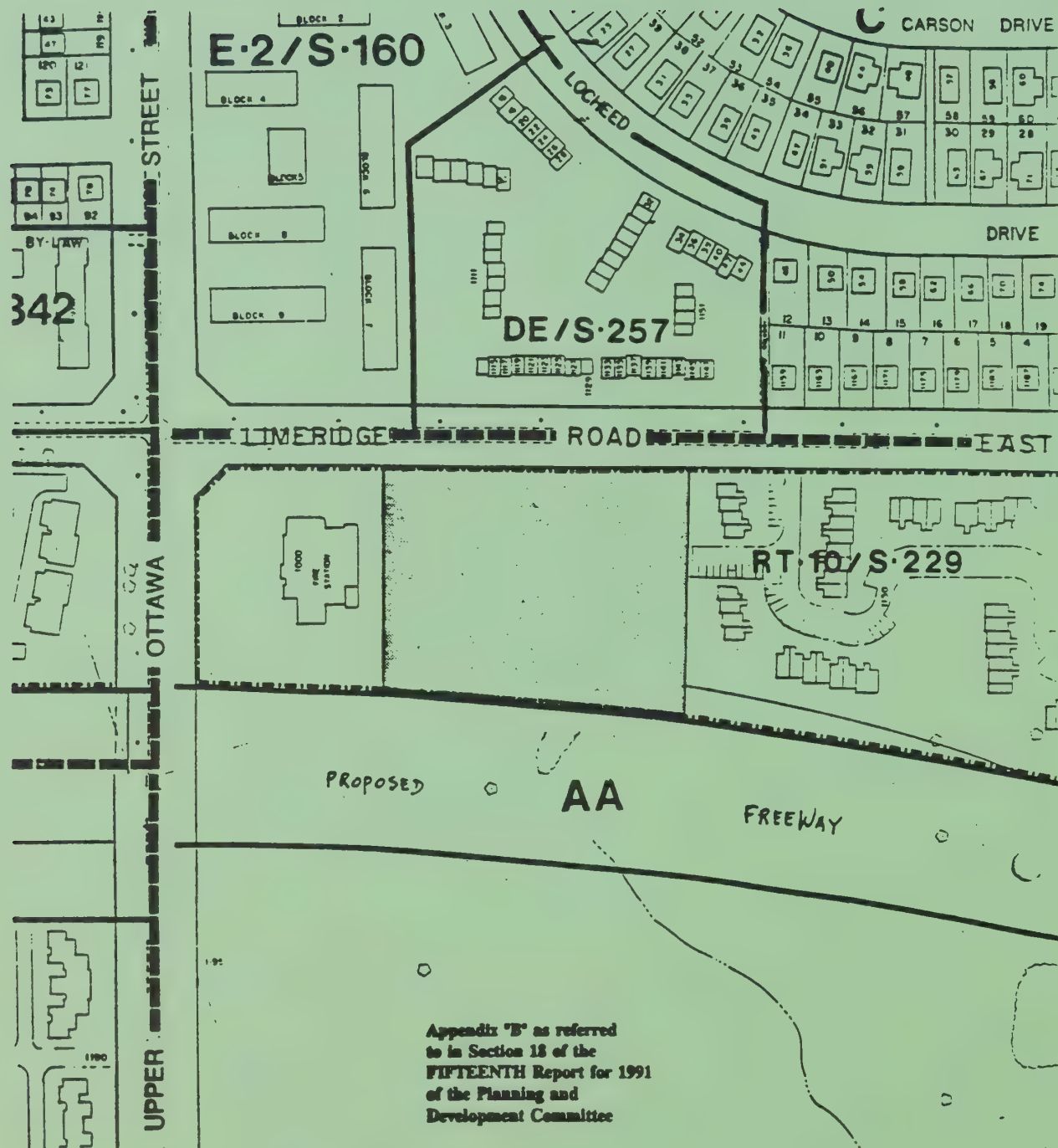


Scale
NOT TO SCALE

Reference File No
ZA 80-32

Date
MAY, 1991

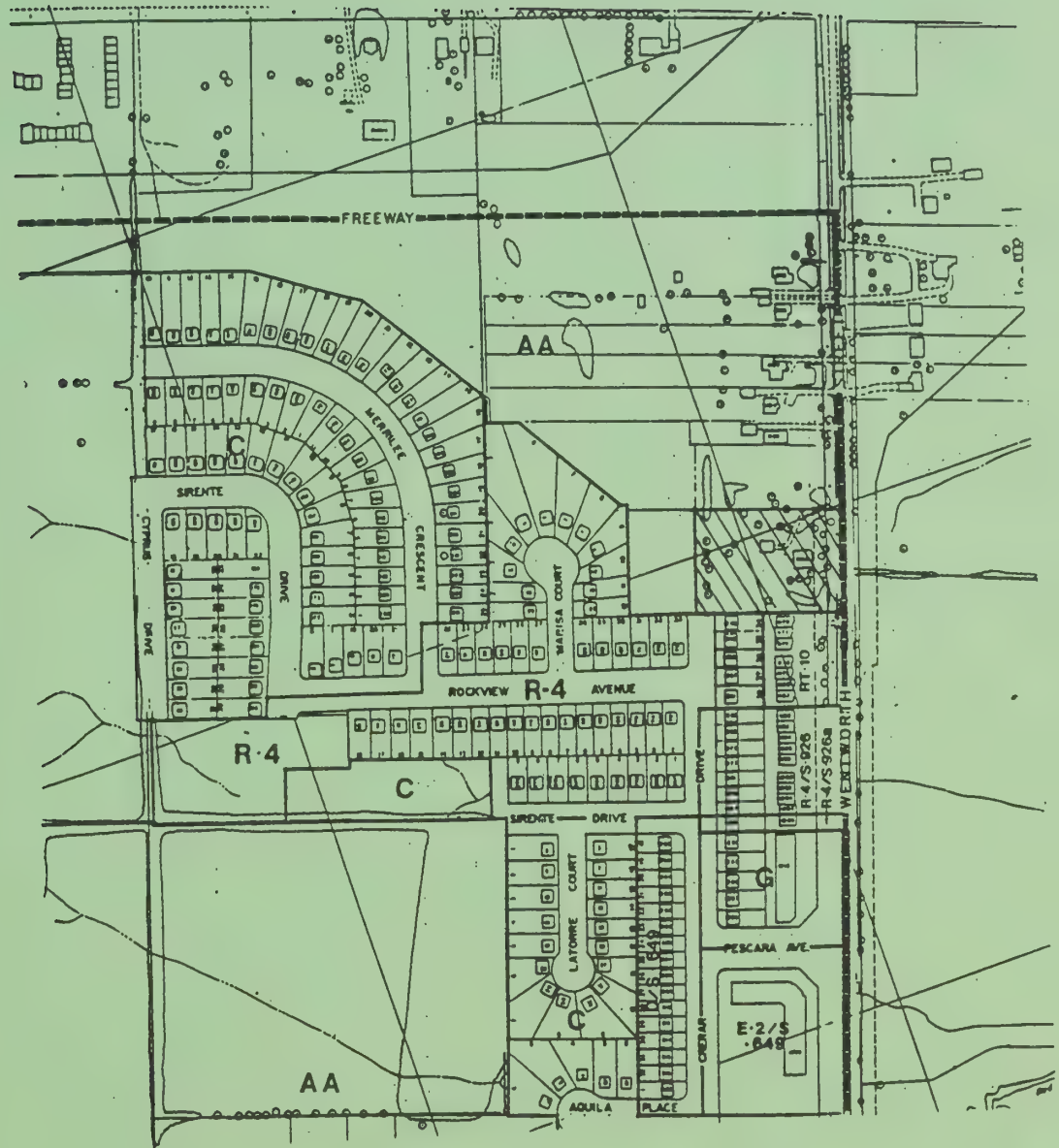
Drawn By
L.E.



Appendix "B" as referred
to in Section 18 of the
FIFTEENTH Report for 1991
of the Planning and
Development Committee

Legend
Subject Site

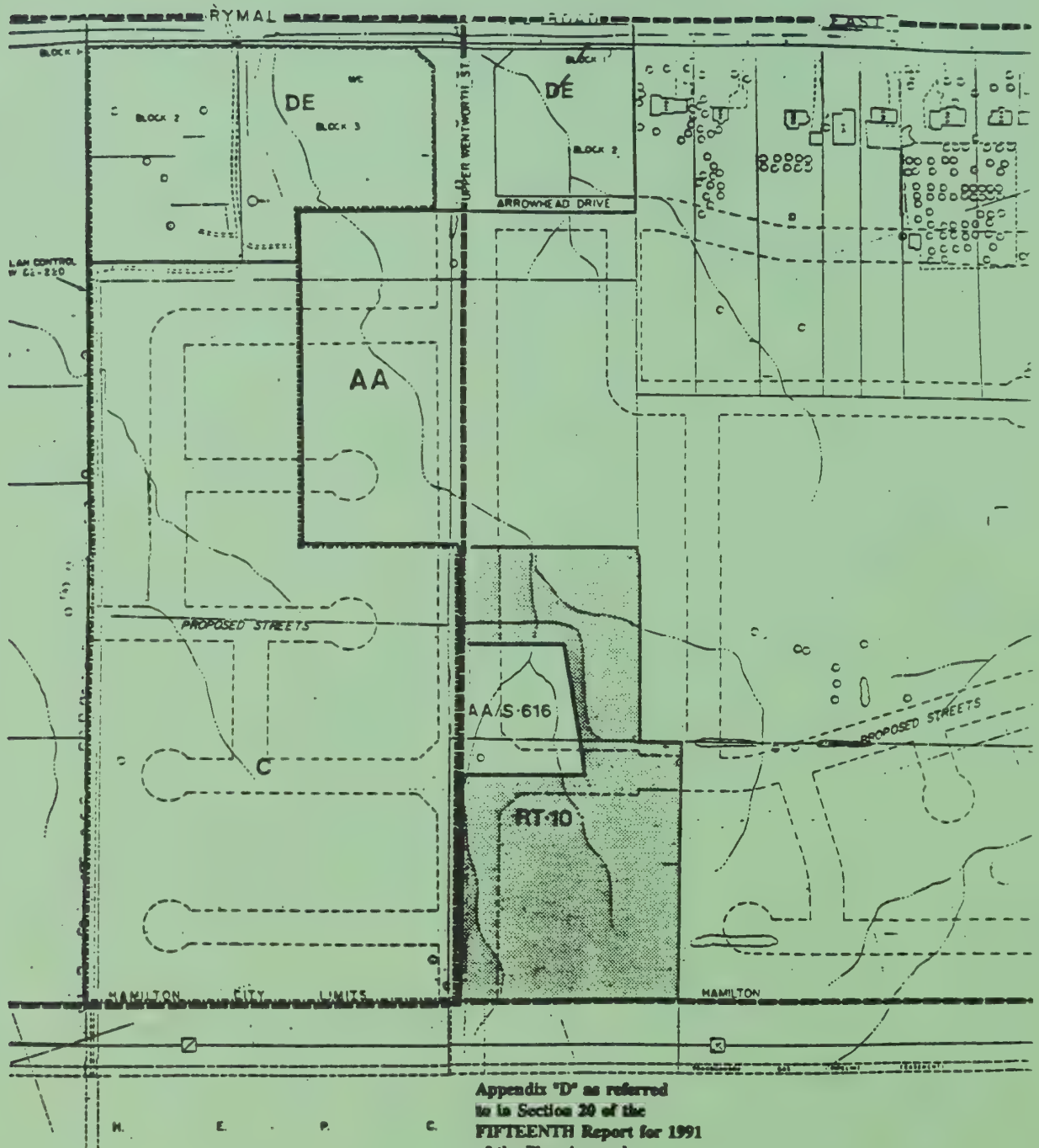




SITE OF THE APPLICATION



Appendix 'C' as referred
to in Section 19 of the
FIFTEENTH Report for 1991
of the Planning and
Development Committee



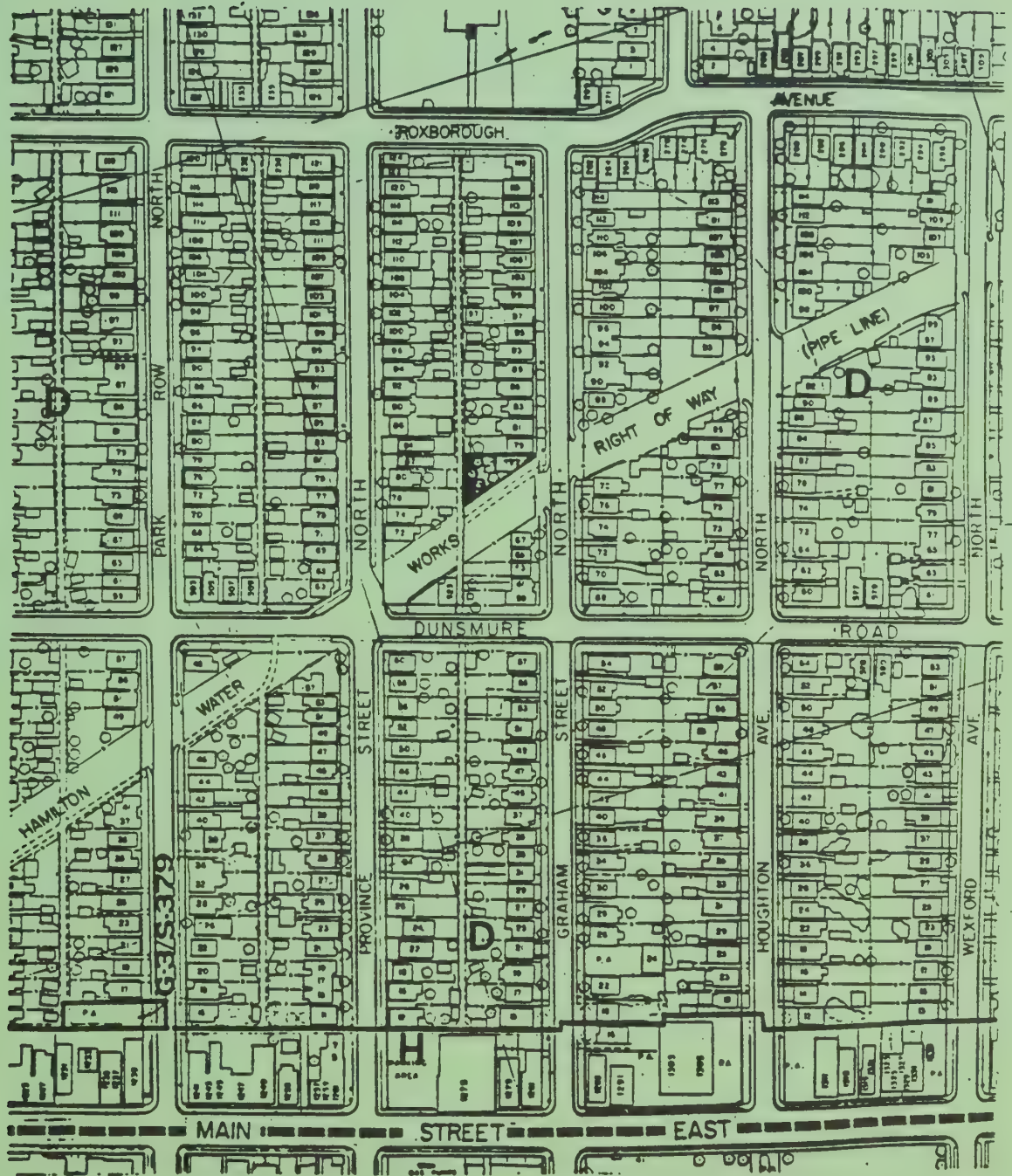
Appendix "D" as referred
to in Section 20 of the
FIFTEENTH Report for 1991
of the Planning and
Development Committee

Legend



Site of the Application





Legend



Site Of The Application

Appendix "E" as referred
to in Section 21 of the
FIFTEENTH Report for 1991
of the Planning and
Development Committee



REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **EIGHTH** Report for 1991 and respectfully recommends:

1. That the Cab Driver Licence of William Green, 73 Lawfield Drive, Hamilton, be immediately suspended and that the suspension end on November 21, 1991.

Mr. Green appeared before the City of Hamilton Licensing Committee at a Show Cause Hearing on 1991 October 09 as the result of a conviction for unlawfully selling liquor while performing his duties as a Cab Driver.

The Licensing Committee noted that Mr. Green had appeared before them on 1990 November 28 as the result of a similar offence at which time the Committee had issued his Cab Driver Licence for a three month probationary term.

The Committee was also advised that, although not condoned by the taxi brokerage, the practice of unlawfully selling liquor by taxi drivers was not uncommon.

In view of the repeat offence, and in order to send a message to the taxi industry that this kind of activity would not be tolerated in the City of Hamilton, the Licensing Committee made the foregoing recommendation.

RESPECTFULLY SUBMITTED

**TERRY COOKE, CHAIRMAN
CITY OF HAMILTON
LICENSING COMMITTEE**

Stella Glover
Secretary

1991 October 09

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1991 and respectfully recommends:

1. That a purchase order be issued to Safety Supply Canada, Richmond Hill, in the amount of \$528,020.22, including all taxes, for the supply and delivery of 146 Self-Contained Breathing Apparatus (S.C.B.A.) and 400 S.C.B.A. Air Cylinders, for the Hamilton Fire Department, being the lowest, acceptable proposal received in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, and that this expenditure be financed through Breathing Apparatus Conversion Account No. CF 5200 48915004.
2. That a Civic Silver Pin be awarded to Mitch Mahoney for winning the 1991 Ontario Juvenile Golf Championship.
3. That the current Civic Award Regulations be amended to include a provision for the awarding of a Civic Ring when a Canadian or International record has been broken at a Provincial Championship.
4. That approval be given to the request from the Lung Association to fly the Lung Association flag at City Hall during November and December, 1991.
5. That permission be granted to the Hamilton Board of Education City Wide Choir to use the second floor foyer and piano on Thursday, 1991 December 12 from 11:30 a.m. - 12:00 noon to sing Christmas Carols.
6.
 - (a) That approval be given to the request of the Latvian Society in Hamilton to fly the Latvian flag at City Hall from 1991 November 15 - November 22 in recognition of Latvia's Independence Day.
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.

7. That permission be granted to the Directors of the Dictionary of Hamilton Biography to use the Council Chamber and second floor foyer on Friday, 1991 November 15 at 8:00 p.m. for a book launching and reception.
8.
 - (a) That permission be granted to the Arts Advisory Sub-Committee to use the Council Chambers on Thursday, 1991 November 21 from 7:00 o'clock p.m. to 9:00 o'clock p.m. for the purpose of holding its 1991 Annual Meeting; and,
 - (b) That the City Clerk be directed to place an advertisement in the local newspaper to inform the citizens of Hamilton of this Public Meeting.
9. That permission be granted to the Youth for Croatia to use the City Hall forecourt and related equipment for a peaceful gathering to support the struggle for democracy in Croatia on Sunday, 1991 November 03 from approximately 2:00 - 4:00 p.m.
10.
 - (a) That permission be granted to the Canadian Union of Public Employees, Local 167, to use the lobby and foyer areas of City Hall on Sunday, 1991 December 15 from 1:00 p.m. - 4:00 p.m. for their Annual Children's Christmas Party.
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
11. That approval be given to the action taken by the City Clerk in authorizing Property Maintenance staff overtime associated with the Big Brother Pit Area and Barbecue in the City Hall parking lot during their Soap Box Derby on Sunday, 1991 September 29 from 9:00 a.m. - 4:00 p.m.
12. That approval be given to the action taken by the City Clerk in authorizing the Regional Advisory Committee for the Physically Disabled to use the Council Chamber on Monday, 1991 October 07 from 1:00 p.m. - 3:00 p.m. in order to allow the Canadian Hearing Society to conduct a review with regard to an FM system for people with hearing impairments.
13. That approval be given to the action taken by the City Clerk in authorizing the Hamilton Status of Women Sub-Committee to use the Council Chamber on Friday, 1991 October 18 from 7:00 p.m. to approximately 10:00 p.m. for a public awareness seminar on breast screening

14. (a) That approval be given to the action taken by the City Clerk in authorizing the United Nations Association, Hamilton District Branch, to use the Council Chamber and second floor foyer on Thursday, 1991 October 24 from 7:30 - 9:30 p.m. for a Proclamation Ceremony and reception to celebrate United Nations Day.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years, provided it does not interfere with any other activity.
15. That, as referred to in Section 7 of the 14th Report of the Transport & Environment Committee, the City's Share of Services for the construction of the uncompleted portion of Fieldway Drive, Millwood Place and Public Walkway in Hamilton including engineering fees to a total amount of \$166,719. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.
16. That, as referred to in Section 6 of the 15th Report of the Transport & Environment Committee, the City Treasurer be authorized to allocate \$11,900. from 1991 Capital Levy to construct an independent concrete sidewalk on the north side of Concession Street from Belvidere Avenue to approximately 99 metres easterly under the Local Improvement Act at an estimated gross cost of \$11,900. being the City's share.
17. (a) That the Treasurer be authorized to make application to hire one student under the Municipal Student Awareness Program of the Ministry of Municipal Affairs for a period of 18 weeks.
- (b) That the estimated City's share of \$2,745. be provided in Treasury Account CH 51002 25215 (Accounting - Temporary Staff) in the 1992 Estimates.
18. (a) That the Treasurer be authorized to implement the following user fee for services performed by the Treasury Department, effective January 1, 1992.

<u>Description</u>		<u>1991</u> <u>Fee</u>	<u>1992</u> <u>Fee</u>
i)	Prior Year's Tax Analysis	-	\$25.

- (b) That this fee be increased annually for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in handling this item.

35. That leave be granted to introduce the following Bills:

Bill H-47 By-law to authorize installation of floodlighting at Mohawk Sports Park.

Bill H-48 By-law to Confirm the Proceedings of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1991 October 24

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Alliston	Probationary Fire Fighter (N1B)	Fire	Replacing - Mr. C. Ellis - retired	\$30,680.22	30/09/91
Mr. Peter Becker	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. R. Taylor - retired	\$30,680.22	30/09/91
Mr. John Cerio	Manager of Administration (K)	Real Estate	Replacing Mr. E. Smith - retired	\$45,154.72 to \$53,135.36	02/09/91
Mr. Robert D'Amico	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. J. Graham - retired	\$30,680.22	30/09/91
Mr. Joseph Elliot	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. R. McCall - retired	\$30,680.22	30/09/91
Mr. Joseph Gergyek	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. G. Adriluk - retired	\$30,680.22	30/09/91
Mr. Brent Guy	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. J. Samek - retired	\$30,680.22	30/09/91
Mr. Michel Hamelin	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. J. Haynes - retired	\$30,680.22	30/09/91

Prepared 16/10/91

Appendix "A" as referred to in
Section 21 of the NINETEENTH Report
of the Finance & Administration
Committee for 1991.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Steven Holmes	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. V. Diferico - retired	\$30,680.22	30/09/91
Mr. John Howie	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. K. Kiernan - retired	\$30,680.22	30/09/91
Mr. Ralph Kerekesch	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. K. Allen - retired	\$30,680.22	30/09/91
Mr. David Kurceba	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. W. Kinsella - retired	\$30,680.22	30/09/91
Mr. Joel Kyle	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. G. Smith - retired	\$30,680.22	30/09/91
Mr. Paul Lazzarato	Probationary Fire Fighter (N1B)	Fire	Replacing Mr. R. Ryfe - retired	\$30,680.22	30/09/91
Ms. Debbie Manningham	Vehicle Acquisition Officer (L)	Fleet Services	Replacing Mr. A. den Otter - retired	\$41,413.84 to \$48,767.16	01/10/91

Prepared 16/10/91

Appendix "B" as referred to in
Section 22 of the NINETEENTH Report
of the Finance & Administration
Committee for 1991.

The Oath of Appointed Office, pursuant to the Municipal Act is as follows:

I,..... do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of (insert name of office, eg. Member of Council committee), to which I have been appointed in this municipality, that I have not received and will not receive any payment or reward, or promise thereof, for the exercise of any partiality or malversation or other undue execution of such office, and that I have not by myself or partner, either directly or indirectly, any interest in any contract with or on behalf of the corporation (or the specific Board) except that arising out of my office as (insert name of office).

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue;
2. The supervision of the construction by the Director of Public Works.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$40,850.00 to be financed from the 1991 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 7 of the 13th Report of the Transport & Environment Committee and Item 10 of the 17th Report of the Finance & Administration Committee on September 24, 1991;

AND WHEREAS that portion of Leaside Road between Brighton Avenue and Dunn Avenue is a road within the jurisdiction of The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete curb on the north side of Leaside Road between Brighton Avenue and Dunn Avenue may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$40,850.00, which cost shall be financed from the 1991 Capital Levy.
2. The Director of Public Works is hereby authorized to supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 91-

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of an independent concrete sidewalk on the east side of Nash Road between Barton Street and a point 24m southerly;
2. The preparation of plans, specifications, reports and by-laws and the supervision of the construction by the Commissioner of Engineering.

WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works herein described at a total estimated cost of \$3,200.00 to be financed from the 1990 Capital Levy;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 15 of the 2nd Report of the Transport & Environment Committee and Item 24 of the 1st Report of the Finance & Administration Committee on January 29, 1991;

AND WHEREAS that portion of Nash Road between Barton Street and a point 24m southerly is a road within the jurisdiction of The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described as an independent concrete sidewalk on the east side of Nash Road between Barton Street and a point 24m southerly may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$3,200.00, which cost shall be financed from the 1990 Capital Levy.
2. The Commissioner of Engineering is hereby authorized to prepare all necessary plans, specifications, reports and by-laws required for the construction of the works; and supervise construction of the works.
3. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this day of , A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 3a (One Hour Limit)** the following item, namely:-

"Lottridge	West	Barton to 98 ft. south".
------------	------	--------------------------

2. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"West 3rd	West	McElroy to Wembley".
-----------	------	----------------------

- b) by adding to **Section 14 (One Hour Limit)** the following item, namely:-

"San Paulo	Both	San Pedro to the north end".
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3. **Schedule 25B (Parking Time Limits)** is hereby amended by deleting from **Section 4 (One Hour Limit)** the following items, namely:-

"Cathcart	East	Wilson to 91 feet south
Albany	Both	Kenilworth to Robins".

and by adding thereto the following item,

"Cathcart	East	Wilson to Rebecca".
-----------	------	---------------------

4. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Cathcart	West	Wilson to Rebecca
Millen	West	Brucedale to Empress
East 44th	East	Kerr to 105 feet north".

5. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Millen Avenue	West	East".
Brucedale Avenue to Empress Avenue		

and by adding thereto the following item, namely:-

"Bond	East	West".
King to Marion		

6. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"East 25th	East	Franklin to Darcy	Anytime
Millen	East	Brucedale to Empress	Anytime
Ray	West	commencing 51 feet south	Anytime
		of York to a point 24 feet	
		southerly therefrom	

and by deleting therefrom the following item, namely:-

"Dundurn	West	commencing 86 feet north	Anytime".
		of Glenside to a point	
		21 feet northerly therefrom	

7. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended:

a) by deleting from the Outbound Column the following item, namely:-

"Mount Albion at Hixon (F/S)

and by adding thereto the following item, namely:-

"Mount Albion at Hixon".

b) by deleting from the Inbound Column the following item, namely:-

"Mount Albion at Hixon".

and by adding thereto the following item, namely:-

"Mount Albion at Hixon (F/S)"

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 91 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Brock	Westbound	Hughson
Albermarle	Northbound	Gertrude
Rowanwood	Northbound	Gertrude
Lyndhurst	Northbound	Gertrude
Gertrude	Eastbound and Westbound	Lyndhurst
Bastile	Northbound	Brigade
Brigade	Northbound and Southbound	Bonaparte (west intersection)
Brigade	Northbound and Southbound	Bonaparte (east intersection)
Bonaparte	Westbound	Brigade
Vittorito	Eastbound and Westbound	Bow Valley (north leg)".

and by deleting therefrom the following item, namely:-

"Brigade	Northbound and Southbound	Bonaparte".
----------	---------------------------	-------------

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Graham	West	Monterey to 75 feet north	Anytime
Graham	East	Monterey to 52 feet south	Anytime
Duff	North	Upper James to 51 feet west	Anytime
East 25th	East	Franklin to 50 feet south	Anytime".

and by deleting therefrom the following items, namely:-

"Maplewood	South	Balsam to 79 feet east	Anytime
East 25th	East	Franklin to 90 feet south	8:00 a.m. to 4:00 p.m. Monday to Friday".

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Dover	South	commencing at a point 94 feet west of Greenford to a point 40 feet westerly therefrom	7:00 a.m. to 6:00 p.m. Monday to Saturday".
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PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend Zoning By-law No. 6593
and
To Repeal Zoning By-law No. 90-31

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 25 and 27 WEST AVENUE NORTH

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-31 on the 30th day of January 1990 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "G-3" District and "H" District, in respect of the lands located at Municipal Nos. 16-20 Wellington Street North and 15-27 West Avenue North, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 20 of the 10th Report of the Planning and Development Committee at its meeting held on the 25th day of June 1991, recommended that Zoning By-law No. 6593 be further amended to establish a special requirement under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 90-31 be repealed in its entirety;

AND WHEREAS the special condition relating to this rezoning, referred to in Section 20(g) of the 10th Report of the Planning and Development Committee adopted by City Council on the 25th day of June 1991, has been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 90-31 is hereby repealed in its entirety.
2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding Sections 11.(3) and (4) and Section 18.(3)(vi)(b) of By-law No. 6593, the location of the existing single-family dwelling (No. 25 West Avenue North) and the two-family dwelling (No. 27 West Avenue North) at the date of the passing of the by-law shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1235.

5. Sheet No. E-13 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1235.

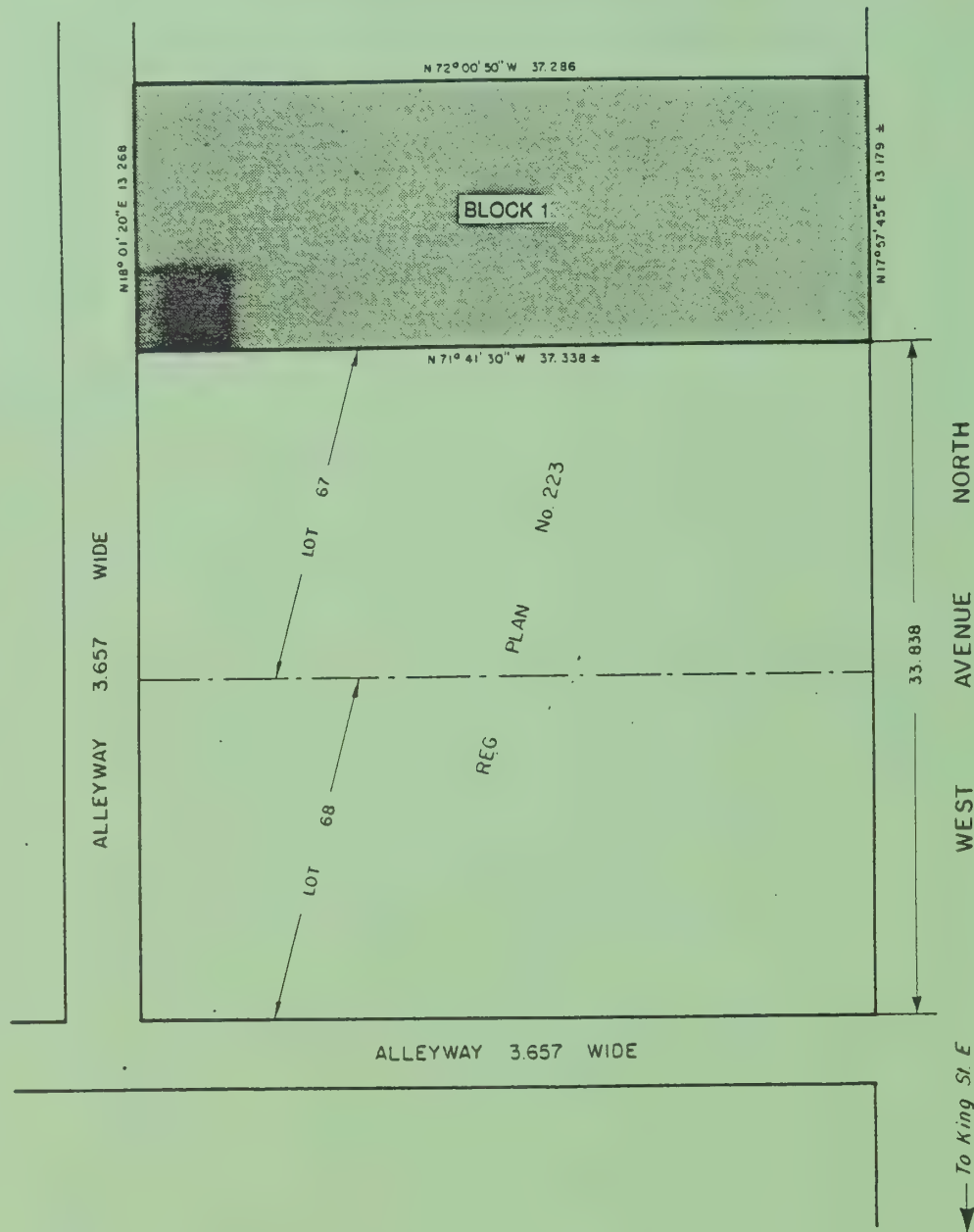
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 10 R.P.D.C. 20, June 25
Trillium Funeral Service Corporation, Owner
Amended ZA-91-16



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 91-.....

BLOCK 1

North



Scale
NOT TO SCALE

Date
JULY, 1991

Reference File No.
ZA 91-16

Drawn By
E.C.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 193 STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is, in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

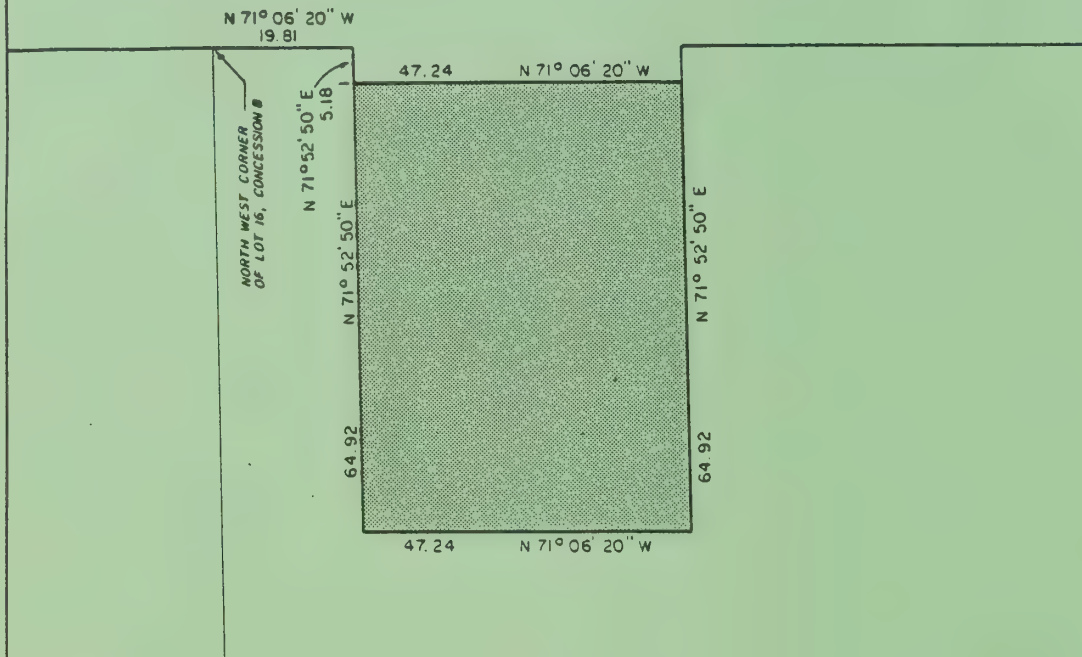
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

STONE CHURCH ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"B" (Suburban Agriculture and Residential,
etc.) District to "C" (Urban Protected
Residential, etc.) District.



Scale
NOT TO SCALE

Reference File No.
ZA 91-31

Date
SEPTEMBER, 1991

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 297 STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-17C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

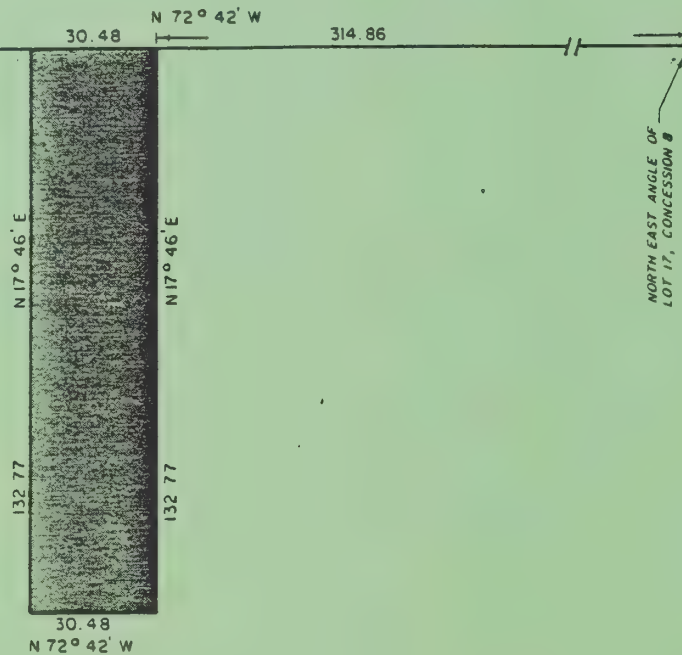
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

STONE CHURCH ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of 1991.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "C"(Urban
Protected Residential, etc.) District.

North



Scale
NOT TO SCALE

Reference File No.
ZA 91-38

Date
SEPTEMBER, 1991

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend Zoning By-law No. 6593
and

To Repeal By-laws No. 88-205 and 90-273

Respecting:

LAND LOCATED AT THE SOUTH-WEST CORNER OF UPPER SHERMAN AVENUE
AND LIMERIDGE ROAD EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-205 on the 30th day of August 1988 to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board, by Memorandum of Oral Decision and Order dated the 29th day of May 1990, amended By-law No. 88-205 with respect to the special requirement, which by-law came into force on the date of the Decision, in accordance with Section 34(31) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-273 on the 25th day of September 1990 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located at the south-west corner of Upper Sherman Avenue and Limeridge Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 19 of the 13th Report of the Planning and Development Committee on the 24th day of September 1991, recommended that Zoning By-law No. 6593, be further amended to rezone the land and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and to repeal By-law No. 88-205 and By-law No. 90-273 in their entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 88-205 and By-law No. 90-273 are repealed in their entirety.

2. Sheets No. E-27A and E-27B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

3. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A(1) of By-law No. 6593, only the following commercial uses shall be permitted:

- 1. a bank;
- 2. professional offices (excluding medical);
- 3. a dry cleaner outlet;
- 4. a video store;
- 5. a drug store;
- 6. a variety store; and,
- 7. a gas bar;

- (b) a landscaped strip not less than 3.0 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly and southerly lot lines.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1246.

6. Sheets No. E-27A and E-27B of the District Maps are amended by marking the lands referred to in section 2 of this by-law, S-1246.

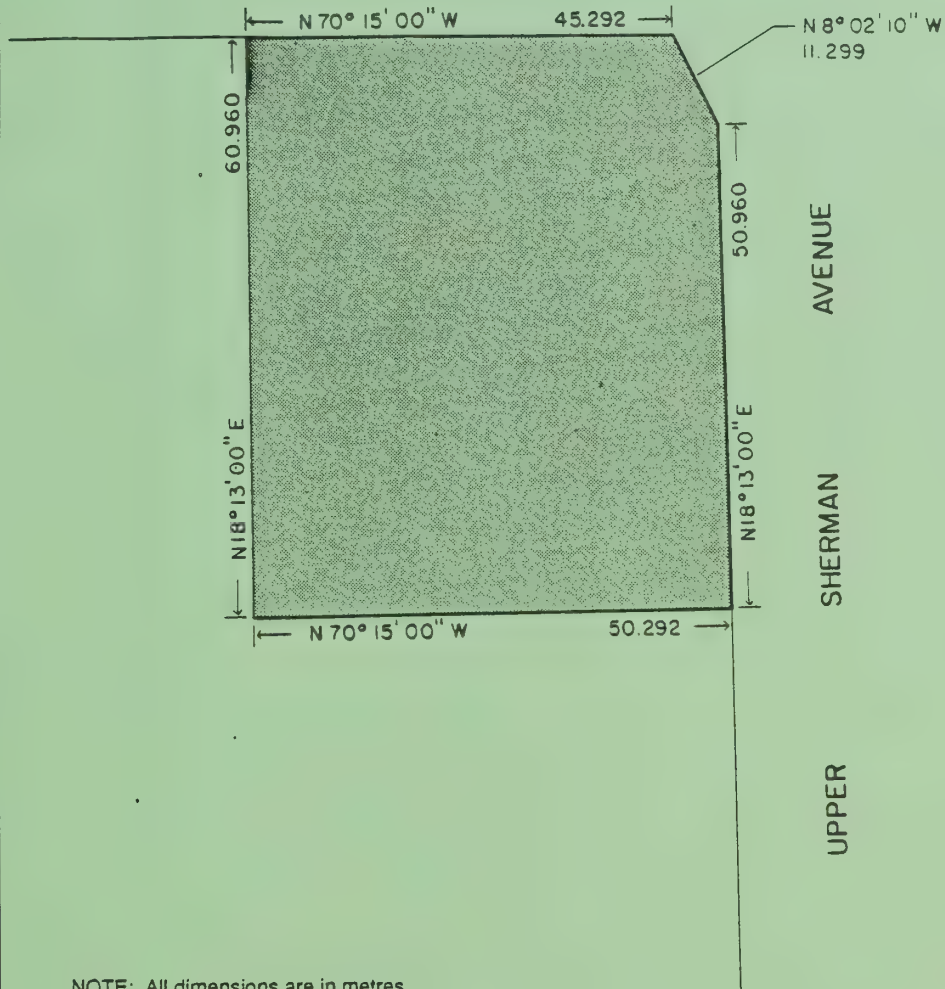
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

LIMERIDGE ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA"(Agricultural) District to "HH" (Restricted
Community Shopping and Commercial, etc.)
District, modified.

North



Scale
NOT TO SCALE

Reference File No.
ZA 91-37

Date
SEPTEMBER, 1991

Drawn By
P.B.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF RICE AVENUE,
SOUTH OF CHEDMAC DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 96, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 90-352, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A(1) of By-law No. 6593, only the following uses shall be permitted:

1. multiple dwellings containing not more than a total of 100 dwelling units;
2. not more than 41 townhouse dwelling units;
3. a residential care facility for the accommodation of not more than 12 residents aged 60 years and older;
4. notwithstanding Section 2.(2)A.(xiiaa) of By-law No. 6593, one dwelling unit shall be permitted in the same building as the residential care facility; and
5. an amenity centre accessory to the residential uses in 2.(a) 1, 2, 3 and 4, having a gross floor area of not less than 1,010.0 m²;

- (b) notwithstanding Section 10A(2) of By-law No. 6593, the maximum height of one of the multiple dwellings shall not exceed six storeys;

3. For the purposes of this by-law, "Amenity Centre" shall include, but not be limited to, the following accessory uses:

- (a) Administrative offices;
- (b) Chapel;
- (c) Library;
- (d) Activity and Exercise rooms;
- (e) Lounges;
- (f) Dining Room;
- (g) Variety Store;
- (h) Hairdresser.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1211.

6. Sheet No. W-37 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1211.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres


This is Schedule "A" to By-Law No. 91-_____
 Passed the _____ day of _____, 1991.


 Clerk

 Mayor

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 91-_____
 to Amend By-Law No. 6593
 Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend
 Change in zoning from:

 "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified.

North 	Scale NOT TO SCALE	Reference File No. ZA90-67
	Date DECEMBER, 1990	Drawn By T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 170 BROCKLEY DRIVE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

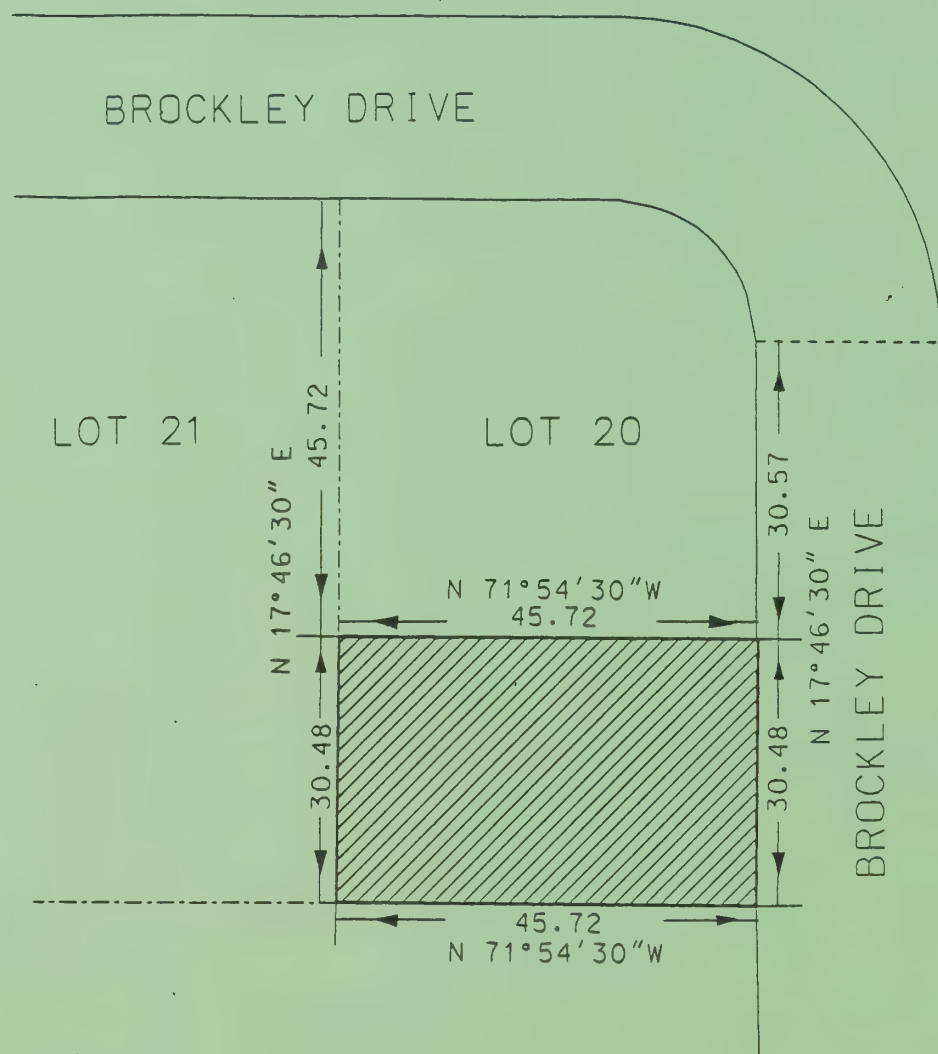
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "KK" (Restricted Heavy Industrial) District provisions, as contained in Section 17A of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,
 - (a) notwithstanding Section 17A(1) of By-law No. 6593, the following commercial uses shall be permitted within the existing building only:
 1. a private horseshoe pitching club, including a billiard room and a restaurant as accessory uses.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "KK" District provisions, subject to the special requirement referred to in section 1.
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1244.
4. Sheet No. E-123 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1244.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-____
Passed the _____ day of _____, 1991.

Clerk

Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 91-____
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

20

Legend



Lands to be regulated by
By-law No. 91-____

North 	Scale NOT TO SCALE	Reference File No. ZA 91-34
	Date OCTOBER, 1991	Drawn By H.V.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Dissolve:

THE JAMESVILLE IMPROVEMENT AREA
and
THE BOARD OF MANAGEMENT THEREOF

WHEREAS the Jamesville Improvement Area as described in Schedule "A" attached to this by-law, was established by By-law No. 85-198, enacted by City Council on September 24, 1985;

AND WHEREAS subsection 32 of Section 217 of the Municipal Act, R.S.O. 1980, Chapter 302 authorizes the City Council to dissolve an Improvement Area effective on the 31st day of December in the year in which the by-law is passed;

AND WHEREAS a Board of Management for the Jamesville Improvement Area was established by By-law No. 86-74, enacted on February 11, 1986, as amended by By-law No. 87-147, enacted on May 12, 1987.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Jamesville Improvement Area as described in Schedule "A" to this by-law, is hereby dissolved.
2. By-law No. 85-198 is repealed in its entirety.
3. By-law No. 86-74, as amended by By-law No. 87-147, is repealed.
4. When this by-law becomes effective, all of the assets and liabilities of the Board of Management are assumed by The Corporation of the City of Hamilton.
5. This by-law comes into effect on December 31, 1991.

PASSED this day of A.D. 1991.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Authorize:

**THE INSTALLATION OF FLOODLIGHTING
AT MOHAWK SPORTS PARK**

WHEREAS the Ontario Municipal Board by Order dated the 28th day of March 1991, (File No. E 910208), approved,

- (a) the installation of floodlighting and bleachers at Mohawk Sports Park at an estimated cost of \$470,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$470,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS the Council of The Corporation of the City of Hamilton wishes to pursue the installation of the floodlighting at Mohawk Sports Park independent of the installation of the bleachers;

AND WHEREAS the cost of the floodlighting will not exceed \$84,900.00;

AND WHEREAS the total cost of the floodlighting and the bleachers will not exceed \$470,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the installation of floodlighting at Mohawk Sports Park, which cost will not exceed \$84,900.00, may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 28th day of March 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1991.

City Clerk

Mayor

BY-LAW NO. 91 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF OCTOBER A.D., 1991.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of October A.D. 1991

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CAHON HBL AOS
A31

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

71 MAIN STREET WEST
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

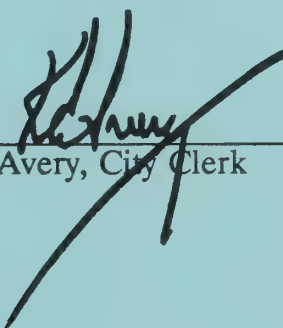
2nd floor

1091

NOTICE OF MEETING

HAMILTON CITY COUNCIL

Tuesday, 1991 December 10
immediately following Committee of the Whole meeting
Room 233
City Hall



K. E. Avery, City Clerk

AGENDA

1. To consider the First Report of the Committee of the Whole of City Council.

URBAN MUNICIPAL
DEC 10 1991
601
ITS

URBAN/MUNICIPAL
CA4 ON HBL A05
A31
1991



2nd floor

71 MAIN STREET WEST
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

NOTICE OF SPECIAL MEETING

**COMMITTEE OF THE WHOLE
OF CITY COUNCIL**

Tuesday, 1991 December 10
3:00 o'clock p.m.
Room 233
City Hall

*FILE WITH
Agendas of
the meetings
of the
Council of
Hamilton*


K. E. Avery, City Clerk

AGENDA

1. **Commissioner of Human Resources**
Hamilton Fire Department - Interest Arbitration
2. **City Solicitor - By-laws**
 - (a) By-law to Authorize Construction of the New Twin Pad Arena, Including Road Improvements on Chedmac Drive.
 - (b) By-law to Amend Zoning By-law No. 6593 Respecting Land Located at 126 Lilacside Drive.
 - (c) By-law to Amend Zoning By-law No. 6593 Respecting Land Located at 1341 Upper James.

URBAN MUNICIPAL

DEC 10 1991

GO. SENT DOCUMENTS

3. Chief Administrative Officer

Transfer of responsibility for Trade Licences to Building Department.

4. City Clerk

- (a) By-law to amend Licencing By-law 79-323 respecting Class "C" Livery Vehicles.
- (b) By-law to Licence and Regulate Charitable or Religious Lottery Schemes.
- (c) By-law to increase 1992 Licence fees.
- (d) Canadian Football League Draft - Civic Reception.

5. Treasurer

Overview and forecast of the 1992 - 1996 Capital Budget and 1992 Current Budget Estimates. (Handouts will be distributed at the meeting.)

6. Adjournment

Note: City Council will meet immediately following this meeting to ratify the recommendations approved by the Committee of the Whole.

CITY OF HAMILTON
- RECOMMENDATION -

REC

140

CITY CLERKS

1.

DATE: 1991 November 28

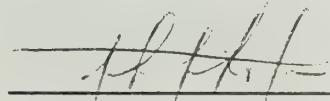
REPORT TO: Mr. K. Avery
City Clerk

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Hamilton Fire Department - Interest Arbitration (C-060-091)

RECOMMENDATION:

That a 4% pay increase, retroactive to January 1, 1991 be processed for members of the Hamilton Fire Fighters Association.


John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

The City of Hamilton was scheduled to attend an interest arbitration on Tuesday November 26. The purpose of the arbitration was to address outstanding issues relating to the City's Collective Agreement with its Firefighters.

The arbitration was to be chaired by Mr. Martin Teplitsky. The City's nominee was Mr. William Hayter with the Association being represented by Mr. J. Sack.

Unfortunately, Mr. Hayter was called to a trial in Ottawa on the day in question, thereby necessitating an adjournment of the case until December 16.

Mr. Teplitsky granted the City's motion for adjournment over the protestations of the Association on the condition that the City process the above-mentioned wage adjustment forthwith.

Mr. Teplitsky was of the view that had the case proceeded as scheduled he would have granted the same interim increase pending his final award which we could not expect until some time in the new year.

With respect to the implementation of such an increase, despite the Human Resources and Information Services departments already being fully occupied in implementing Pay Equity and Collective Agreement increases at this time, it should still be possible to process the increase by December 20, 1991.

CITY OF HAMILTON
- RECOMMENDATION -

2.(a)

DATE: 1991 November 22

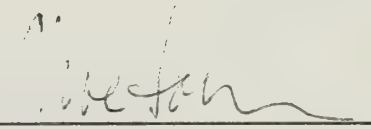
REPORT TO: Mr. John D. Thompson, Secretary
Finance and Administration Committee

FROM: P. Noé Johnson,
City Solicitor

SUBJECT: By-law To Authorize Construction of the New Twin Pad Arena, Including
Road Improvements on Chedmac Drive.

RECOMMENDATION:

That the attached by-law be enacted by City Council.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

The Ontario Municipal Board has approved the City's debenture request. The attached by-law implements the Board's decision. Under Section 94 of the Ontario Municipal Board Act, there is a 28-day petition period to the Cabinet, (commencing November 19, 1991 and expiring December 17, 1991), to vary or rescind the Board's Order.

BACKGROUND:

On November 13, 1990, City Council adopted Section 26 of the 25th Report of the Finance and Administration Committee recommending that the City Solicitor prepare the necessary by-law to authorize construction of the New West Mountain Twin Pad Arena, including road improvements on Chedmac Drive, in the amount of \$9,668,000.00. After a 12-day hearing, approval was given by Ontario Municipal Board Order dated the 19th day of November 1991, which was received on the 21st day of November 1991. The Board found that the City had the financial ability to issue the debentures. As well, the Board found that the Arena project was expedient, suitable and advantageous to the City of Hamilton.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Authorize:

CONSTRUCTION OF THE NEW WEST MOUNTAIN TWIN PAD ARENA,
INCLUDING ROAD IMPROVEMENTS ON CHEDMAC DRIVE

WHEREAS the Ontario Municipal Board by Order dated the 19th day of November 1991, (File No. E 901349), approved,

- (a) the construction of the new West Mountain Twin Pad Arena including road improvements on Chedmac Drive at an estimated cost of \$9,668,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$9,668,000.00 for a term not to exceed twenty years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of the new West Mountain Twin Pad Arena, including road improvements on Chedmac Drive may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 19th day of November, 1991.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1991.

City Clerk

Mayor

2. (b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 November 6

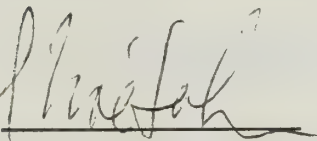
REPORT TO: Miss Charlene J. Coutts, Secretary
Planning and Development Committee

FROM: P. Noé Johnson,
City Solicitor

SUBJECT: Modification in Zoning - No. 126 Lilacside Drive

RECOMMENDATION:

That the attached by-law be enacted by City Council.


P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

On October 8, 1991 City Council adopted Section 8 of the 14th Report of the Planning and Development Committee, recommending that the City Solicitor prepare the attached by-law.

The effect of this by-law is to permit a hairdressing salon for one hairdresser only to be operated from the residence as a home occupation.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 126 LILACSIDE DRIVE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) notwithstanding paragraphs (f) and (h) of Section 2.(2)H.(iii) of By-law No. 6593, hairdressing shall be permitted as a home occupation on the following basis:

(i) it is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and

(ii) there shall not be more than one comb-out centre and one styling sink.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1249.

4. Sheet No. E-27 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1249.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

2. (c)

LAW DEPARTMENT
MEMORANDUM

TO: Mr. K. E. Avery,
City Clerk,
City Clerk's Department
Attn: Ms. C. J. Coutts, Secretary,
Planning and Development Committee

YOUR FILE:

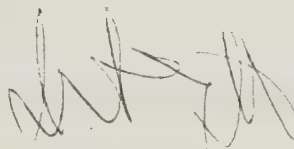
FROM: Art Zuidema,
Solicitor

OUR FILE: 40-5/91.
PHONE: 546-4636

SUBJECT: Change and Modification in Zoning
Zoning Application 91-14
1341 Upper James Street

DATE: 1991 December 2

As discussed, we attach the draft zoning by-law. Please note that one of the conditions for the approval of this by-law is that the approved site plan be registered on the title of the land. To date, we have not received word that this registration has been completed. If John Sakala has not verified that the site plan has been registered by December 10th, the zoning application must be removed from Council's agenda.



Art Zuidema,
Solicitor.

AZ:js
Attach

c.c. Alderman H. Merling
c.c. Alderman T. Anderson
c.c. Mr. P. D. Mallard, Division Head,
Development and Urban Design Division,
Planning and Development Department
Attn: Mr. J. P. Sakala
c.c. Mr. L. C. King,
Building Commissioner
c.c. Ms. P. Noé Johnson,
City Solicitor

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 2

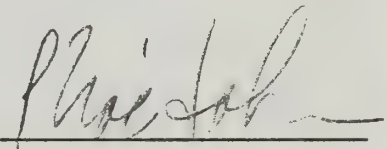
REPORT TO: Miss Charlene J. Coutts, Secretary
Planning and Development Committee

FROM: P. Noé Johnson,
City Solicitor

SUBJECT: Change and Modification in Zoning - 1341 Upper James Street

RECOMMENDATION:

That the attached by-law be enacted by City Council.


P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

On June 25, 1991, City Council adopted Section 19 of the 10th Report of the Planning and Development Committee which advised that the appropriate amending by-law be forwarded when the applicant has received site plan approval and the approved site plan has been registered on title. The aforementioned having been completed, attached is the by-law.

The effect of this by-law is to permit development of the subject lands for a gas bar and commercial uses. In addition, the by-law provides for variances as special requirements as set forth in the attached by-law.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1341 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 19(f) of the 10th Report of the Planning and Development Committee adopted by City Council on the 25th day of June 1991, have been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the land referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A(3)(a) of By-law No. 6593, a minimum 6.0 m front yard setback shall be provided and maintained from Upper James Street;
- (b) notwithstanding Section 14A(3) of By-law No. 6593, a minimum 6.0 m southerly side yard setback shall be provided and maintained from Stone Church Road East;
- (c) a landscaped planting strip of not less than 6.0 m in width, shall be provided and maintained adjacent to the entire westerly and southerly lot lines excluding any area(s) used for vehicular access;

- (d) a landscaped planting strip of not less than 1.5 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1234.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1234.

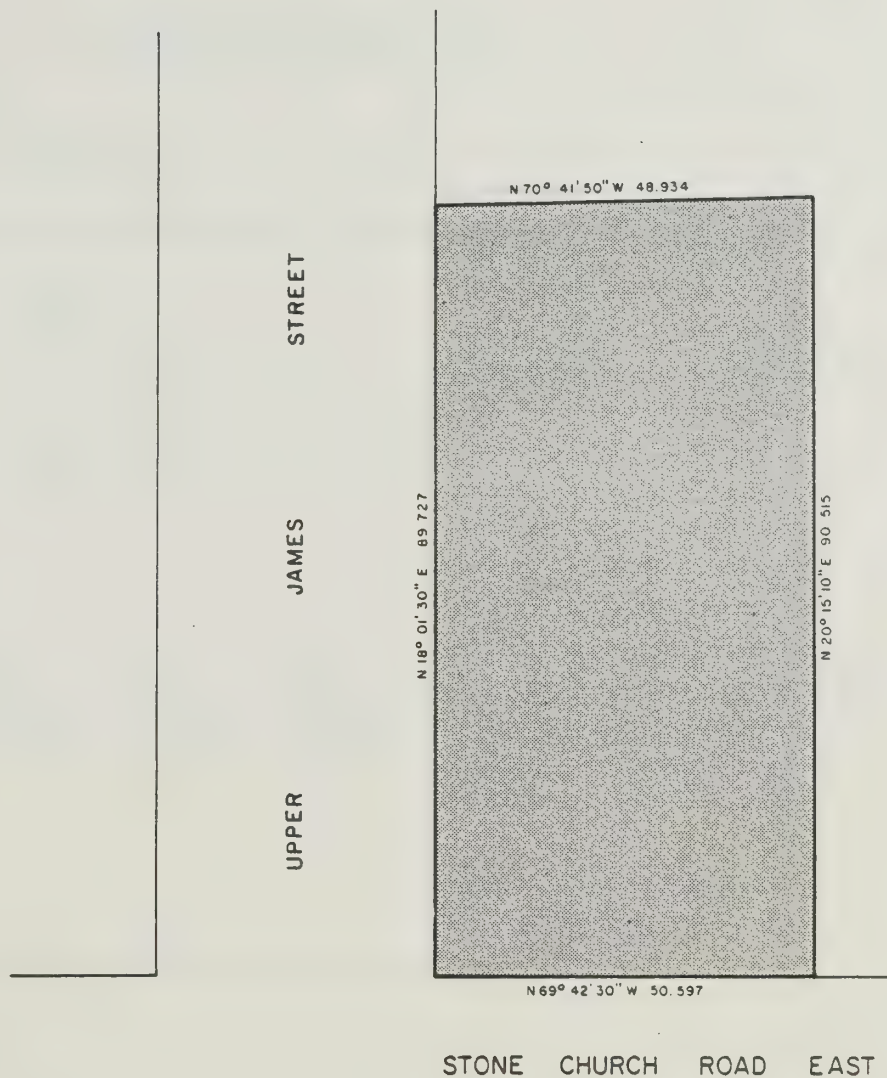
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991) 10 R.P.D.C. 19, June 25
W. Alex Hemstreet, Owner
Amended ZA-91-14



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 91-.....
Passed the day of, 1991.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 91-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"C"(Urban Protected Residential, etc.)
District to "HH"(Restricted Community
Shopping and Commercial) District, Modified.

North



Scale
NOT TO SCALE

Date
JULY, 1991

Reference File No.
ZA 91 -14

Drawn By
E.C.

3.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 4

REPORT TO: Mayor and Members of City Council

FROM: Mr. Lou Sage
Chief Administrative Officer

SUBJECT: Recommendations for Implementation -
Licence Division Comprehensive Audit

RECOMMENDATION:

- 1) That responsibility for Regional Trades Licensing be transferred to the Building Department effective January 1, 1992 and that the Regional Municipality of Hamilton-Wentworth be requested to approve this recommendation.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On June 25, 1991, City Council, on the recommendation of the Finance and Administration Committee, adopted the final report of the Comprehensive Audit of the Licence Division of the City Clerk's Department, as submitted by Ernst & Young, Management Consultants. In addition, Council referred this report to the CAO who was directed to report back to the Finance and Administration Committee with recommendations for implementation.

The Comprehensive Audit strongly emphasized that licensing ".....has become a quick way to react to problems in the community,has resulted in an increasing number of licences, greater complexity in administration and inspection requirements, and the Licence Division operates in a continual crisis mode, unable to plan its activities".

The Management Consultants pointed out that the Division's role and resulting structure are multi-focused in an attempt to accommodate all expectations and as such they strongly recommended that the Licence Division should be recast. Additionally, they pointed out

that Licensing is no longer a minor function and regionalization of various activities is a possibility.

As the Building Department currently administers the examination and complaint investigation functions, they handle most of the work already. There will be no costs associated with this transfer as there is total cost recovery from the Region.

There is agreement between the departments that this transfer be effected as soon after December 1, 1991 as is possible.

The transferring of this function is necessary at this time due to the fact that the licence renewal process commences in early December and licence renewals are to be available on or before the December 31, 1991 expiry date.

This is the first of a number of recommendations for implementation of the Comprehensive Audit of the Licence Division, all of which will be forwarded to the Finance and Administration Committee for their consideration.

4. (a)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 November 29

REPORT TO: Mayor and Members of City Council

FROM: Mr. K. E. Avery
City Clerk

SUBJECT: Class "C" Livery Vehicles

RECOMMENDATION:

- (a) That the attached By-law which limits the term for which Class "C" Livery Vehicle Licences are to be issued to the period from January 1, 1992 to June 30, 1992 be enacted.
- (b) That Section 12 (a) (ii) of the Tenth Report of the Finance and Administration Committee be amended by deleting the number "50" and inserting in lieu thereof "45".
- (c) That the City Solicitor be authorized and directed to incorporate the above amendment into the Draft By-law.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Reduction in Licence Revenue for 1992 of \$4,365.00

BACKGROUND:

City Council, at its meeting held May 14, 1991, in adopting Item #12 of the Tenth Report of the Finance and Administration Committee (copy attached), gave approval to the drafting of the attached by-law.

In accordance with Item 12(f) of the above report, the Draft By-law was dealt with by the Taxi Advisory Committee at its meeting held November 19, 1991. It was recommended by the Committee that the Draft By-law be further amended by reducing the number of Class "C" Livery Vehicles from 50 to 45 and by clearly setting out that only those Class "C" Livery Vehicle Owners licensed in 1991 may renew their licences for the period January 1, 1992 to June 30, 1992.

The reduction from 50 to 45 Livery Vehicles is a more accurate reflection of the number of Class "C" Livery Vehicle Licences issued for 1991. This change and the clarification of the other terms does not change the intent of the City Council's resolutions respecting this issue.

The approval of this By-law is required prior to sending out Notices to Renew 1992 Class "C" Livery Vehicle licences to reflect the 6-month limited time period and reduced licence fee in contemplation of eliminating this Class of Livery Vehicle licence. The Finance and Administration Committee and City Council will still be required to deal with Item 12 (c) and 12 (d).

Copies of the report which dealt with this issue are available in the Licence Division, City Clerk's Department.

- (b) That the City Treasurer be authorized to upgrade the present depreciation method of replacing the original value by a current vehicle replacement cost method of increasing the depreciation by an appropriate percentage. The appropriate increase in percentage should take place over the next five year period to reduce the serious impact on mill rate increase in any one year.

- 11. That the City Solicitor be authorized and directed to prepare a By-law to amend Section 5(2) of Schedule 4a to Licensing By-law 79-323 to address possible challenge to a requirement based on the creation of monopoly by DARTS for submission to City Council.

- 12. (a) That the City Solicitor be authorized directed to prepare a draft By-law to amend Schedule 4a of By-law 79-323 respecting Class "C" Livery Vehicles as follows:
 - (i) That the term for which Class "C" Livery Vehicle Licences are issued during 1992 be limited to the period from January 1, 1992 to June 30, 1992, in contemplation of eliminating this class of licence.
 - (ii) That the number of Class "C" Livery Vehicle Licences to be issued in 1992 be limited to 50.
 - (iii) That the licence fee respecting Class "C" Livery Vehicle Licences be reduced to reflect the 6-month term.
- (b) That the Licence Division be authorized to send special notice to all owners and drivers of Class "C" Livery Vehicle Licences of City Council's intention to eliminate this class of licence.
- (c) That, upon the Licence Division being satisfied itself there will be no interruption to the School Transportation requirements of the Boards of Education, a second By-law be sent to the appropriate Committees and City Council to make the additional changes necessary to eliminate Class "C" Livery Vehicles.

- (d) Failing the conditions being met in Recommendation (c), the By-law in Recommendation (a) will expire and be replaced by Schedule 4a as it existed prior to the date of the enactment of this By-law.
 - (e) That staff investigate amending Class "B" Livery Licenses to include those passengers who are presently transported in Class "C" Livery Vehicles and who are disabled children and disabled adults who are students at a local Board of Education or hospital.
 - (f) That the draft By-laws be forwarded to the Taxi Advisory Committee for their consideration.
13. That the following resolution from the Hamilton and District Labour Council on the future and survival of Elliot Lake, which was referred to the Finance and Administration Committee by City Council for consideration, be received:
- WHEREAS** Ontario Hydro's contracts with Denison Mines in Elliot Lake for the supply of uranium expire in 1992,
- AND WHEREAS** the small community of Elliot Lake has already been devastated by two mine closures in 1990 affecting 1700 people,
- AND WHEREAS** the failure by Ontario Hydro to renew contracts for uranium beyond 1992 with Denison Mines will result in the closing down of the present mining operations in Elliot Lake leaving the people of that community without any hope for any future;
- THEREFORE BE IT RESOLVED** that the Hamilton and District Labour Council calls upon Ontario Hydro and the Province of Ontario to secure its uranium from Elliot Lake thereby ensuring that community's survival.
14. That the Chairman of the Finance and Administration Committee or his designate be authorized to attend "A Symposium on Tree Preservation" to be held in the City of London on 1991 May 22.

The Corporation of the City of Hamilton

BY-LAW NO. 91-

To Amend Licensing By-law No. 79-323 respecting :

CLASS "C" LIVERY VEHICLES

WHEREAS Section 227 of the Municipal Act, R.S.O. 1980, c. 302, as amended, provides for the regulation and licensing of vehicles for hire and classes thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton, passed By-law No. 89-249 on the 29th day of August 1989 to amend and consolidate Schedules 4 and 4a to Licensing By-law No. 79-323 respecting taxi-cabs and livery vehicles, which has been subsequently amended;

AND WHEREAS Schedule 4a established "Class C" livery vehicles for the transportation of students by passenger automobile under contract with school boards, and provided for the regulation and licensing thereof;

AND WHEREAS the Council of The Corporation of the City of Hamilton wishes to consider the possibility of incorporating the activity carried on by Class C livery vehicles into the class of activity carried on by taxi-cabs and other vehicles, along with the possibility of eliminating Class C livery licenses;

AND WHEREAS to allow for the possible elimination of Class C licenses during the period when schools are not operating, the Council deems it advisable to amend Schedule 4a, to provide an expiry date of June 30th, 1992 for Class C livery vehicle owner's licenses, and to reduce the license fee accordingly, which provisions will be subsequently amended depending on the decision of the Council;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the 21st day of November 1991 directed that By-law No. 89-249 be amended, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sub-section 5(3) of Schedule 4a to Licensing By-law No. 79-323, as enacted by section 2 of By-law No. 89-249 is hereby amended by adding thereto, immediately following paragraph (c) thereof, the following paragraphs:

"(d) A Class C livery vehicle owner's license shall expire no later than June 30, 1992, and such licenses shall state the date of expiry on the face of the license.

(e) Regardless of the provisions respecting issuance of licences, not more than forty-five (45) Class C livery vehicle owner's licences shall be renewed for the period of January 1 to June 30, 1992."

2. Section 16 of Schedule 4a to Licensing By-law 79-323, as enacted by section 2 of By-law No. 89-249, is hereby repealed, and the following substituted therefor:

"16. The license fees for a license granted under this Schedule shall be as follows:

1. For issuance or renewal of a Class A or Class B livery vehicle owner's license\$193.00;
2. For renewal of a Class C livery vehicle owner's license\$97.00;
3. For issuance or renewal of a livery vehicle driver's license,\$ 28.00.

3. This by-law comes into force and effect on the date of its passing and enactment.

4. Unless sooner repealed or replaced, this by-law is deemed repealed on July 1, 1992, and the provisions of Schedule 4a existing prior to that date apply to Class C livery vehicle owner's licences without change.

5. In all other respects, the provisions of Schedule 4a to Licensing By-law No. 79-323, as enacted by By-law No. 89-249 as amended, are hereby confirmed without change.

PASSED this day of A.D. 1991.

City Clerk

Mayor

(1991)

4. (b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 2

REPORT TO: Mayor and Members of City Council

FROM: Mr. K. E. Avery
City Clerk

SUBJECT: Revised & Consolidated Lotteries By-law

RECOMMENDATION:

(A) That the attached consolidated Lotteries By-law be enacted.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

On September 24, 1991, City Council in adopting Section 24 (a) of the Seventeenth Report of the Finance and Administration Committee, copy attached, authorized the City Solicitor to prepare the attached by-law.

The Provincial Terms and Conditions, under which Bingo Lottery licences are issued, set out the rules for the Management and Conduct of Bingo Lottery Events. These rules clearly set out the maximum number of events which can be held in each 6-month period and limits municipal authority to license bingo events that do not exceed \$3,500.00 for each event.

Municipalities may put in place more restrictive regulations on the frequency with which bingo lottery events may be held and can determine the number of bingo events for each organization.

The City of Hamilton has for many years chosen to be more restrictive in its licensing of Bingo Lotteries under the current Lotteries Licensing By-law 78-130, as amended.

Recent meetings of the Bingo Sponsors Association and Hall Owners have enabled us to determine that these restrictive regulations, once desirable, are no longer of benefit to the charitable organizations. This statement is made bearing in mind that the Province of Ontario is set to enact new Charitable Gaming Regulations which will compel all municipalities to conduct Bingo Lottery Events under an entirely new concept. Under these new regulations, the bingo market will find its own level.

With an opening up of the restricted market, which this revised By-law will permit, and with enforcement of the Provincial Law which sets out that the total net proceeds from bingo lotteries shall not be less than 20% of the gross receipts, the City's approximately 150 licensed organizations will better anticipate and respond to these changes.

23. (a) That the 1992 Grants and Convention/Reception Grant applications and policy remain unchanged at this time and be made available as outlined in the policy.
- (b) That the deadline for the 1992 General Grants be December 31, 1991 and appropriately advertised as such.
- (c) That the Grants Review Group review the 1992 Grants process early in 1992 to determine what revisions would be required to address changes in the grant process for submission to the Finance and Administration Committee.
- (24.) (a) That Lottery Licence By-law 78-130, as amended, be further amended to eliminate the following provisions:
- (i) Section 21 which requires each bingo lottery licensee to carry on a minimum of 24 and a maximum of 26 bingo lottery events in a calendar year.
 - (ii) Section 22 (2) where total prizes for an occasion is between \$1,500.00 and \$3,500.00, a bingo lottery licence may be issued only every two weeks.
 - (iii) Section 1 (3) which requires every occasion of a bingo lottery to be carried on only the following time periods: 8:00 a.m. - 12:00 noon; 12:00 noon - 6:00 p.m.; 6:00 p.m. - 10:00 p.m.; 10:30 p.m. - 1:00 a.m.
 - (vi) All references to limiting the number of bingo lotteries.
 - (v) All antiquated provisions which are no longer relevant to the management and conduct of bingo.
- (b) (i) That By-law 78-130 be further amended to include a provision of one-half hour between bingo events.
- (ii) That the City of Hamilton Licensing Committee give written notice to all bingo charities that a one-month written notice to the Bingo Hall be required for a change in hall location.

- (iii) That the City of Hamilton Licensing Committee give written notice to Bingo Hall Owners that one month's written notice to a bingo sponsor be given should a Hall Owner wish to cancel a bingo lottery event. Such notice must include reasons for cancellation.
- (vi) That reference be made to the Provincial Terms and Conditions in lieu of the antiquated provisions which are to be removed.
- (v) That Lottery Licence By-law 78-130 be consolidated.
- (c) That the Licence Division be asked to review Section 32, Sub. Sec. 3, of By-law 78-130 pertaining to "not less than 20% of the total receipts (for each bingo lottery) shall be paid to the charitable organization to whom the licence was issued" with a view to complying with the Provincial Law.
- (d) That the City Solicitor be directed to prepare the appropriate By-law.
- 25. (a) That the City Solicitor be directed to prepare amendments to By-law 84-235 being a by-law to regulate Premises Providing Adult Magazines, in order to provide for the sale of all adult materials in separate areas with restricted access to adults only, or that all adult materials be kept from public view only to be provided upon request, and
AMENDED AS CARRIED.
- (b) That the public be invited to make written and verbal representations to the Finance and Administration Committee.
- 26. That no professional teams receive City of Hamilton Rings as Civic Awards.
- 27. That approval be given to authorize the use of the City Hall forecourt on Monday, October 7th, 1991 from 1:00 p.m. to 2:00 p.m. by the Labourer's International Union of North America Local 837.
- 28. (a) That the City of Hamilton convey its support for the Pitch-in-Week Program and encourages the Ministry of the Environment to continue funding for this program at the \$75,000. level; and

The Corporation of the City of Hamilton

BY-LAW NO. 91-

TO LICENSE AND REGULATE CHARITABLE
OR RELIGIOUS LOTTERY SCHEMES

WHEREAS section 207 of The Criminal Code of Canada did empower the Lieutenant Governor-in-Council of a Province or such other person or authority in the Province as may be specified by the Lieutenant Governor, to issue a licence to a charitable or religious organization to conduct and manage a lottery scheme, subject to such terms and conditions as may be imposed;

AND WHEREAS the Lieutenant Governor of Ontario by Order-in-Council 274/70 as amended, did empower a municipal council to issue licences authorizing any charitable or religious organization to conduct and manage lottery schemes for charitable or religious purposes;

AND WHEREAS paragraph 45 of section 208 of The Municipal Act, R.S.O. 1980, chapter 302 provides for the appointment of officers and servants for the purpose of the corporation, or for carrying out any by-law of the corporation;

AND WHEREAS City of Hamilton By-law 78-130 provided regulations governing the issuance and approval of licences and the operations of lottery schemes to which licences relate and which are contained in such licences, which by-law has been amended from time to time;

AND WHEREAS Council approved the consolidation of the current lottery by-law and amendments, and approved the deletion of antiquated provisions and incorporation of references to the requirements of the current terms and conditions issued under Order-in-Council 274/70;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

DEFINITIONS

1. In this By-law;

(a) The definitions for "Act", "three-card monte", and "lottery scheme" found respectively in The Criminal Code, R.S.C. 1985, Chapter C-46, sections 1, 206 and 207, are adopted for the purposes of this by-law.

(b) The definitions of "charitable object or purpose", "charitable organization", and "Minister" found in Ontario Order-in-Council No. 274/70 are adopted for the purposes of this by-law.

(c) "applicant" includes a person, association, organization, partnership or group making an application for a licence;

(d) "City" means The Corporation of the City of Hamilton;

(e) "Chief Constable" means Chief Constable of the Regional Municipality of Hamilton-Wentworth;

(f) "Council" means the Council of the City;

(g) "Criminal Code" means The Criminal Code, R.S.C. 1985, Chapter C-46;

(h) "licence" means a licence issued by the Chief Lottery Licence Officer under this by-law, but includes a Provincial Licence requiring approval of the City as the context of this by-law requires;

(i) "Licence Administrator" means the Licence Administrator appointed by the City;

(j) "licence inspector" means an officer appointed for the purposes of inspection or enforcement of by-laws of the City;

(k) "police constable" means a peace officer who is a member of a police force or appointed by the Minister under the Ontario Order-in-Council 274/70;

(l) "Provincial Licence" means a licence issued by the Province of Ontario to conduct a lottery scheme under the authority of the Criminal Code.

(m) "Provincial Terms and Conditions" means the requirements and obligations contained in the forms supplied by the Ministry of Consumer and Commercial Relations, attached as Schedules "1", "2", and "3", as they are applicable to the type of licence applied for or held, and which include the requirements of the licence applications and reports forming part of such schedules;

(n) "to the satisfaction of the Chief Lottery Licence Officer" means the adoption of measures in compliance with or reasonable and sufficient to ensure compliance with applicable laws, and including compliance with the provisions of this by-law.

2.(1) The Licence Administrator is hereby appointed Chief Lottery Licence Officer.

(2) Every licence inspector is hereby appointed a lottery licence officer.

PART I

LICENCES

3.(1) Subject to subsection (3), the Council, where it deems it expedient in the best interest of the inhabitants of the City, may issue a licence authorizing any charitable organization or religious organization to conduct or manage a lottery scheme if;

(a) the proceeds from the lottery scheme are used for a charitable or religious object or purpose, and

(b) in case of a lottery scheme conducted by the charitable or religious organization at a bazaar,

(i) the amount or value of each prize awarded does not exceed One Hundred Dollars, and

(ii) the money or other valuable consideration paid to secure a chance to win a prize does not exceed Fifty Cents.

(2) A licence issued under subsection (1) may be issued for one or more occasions.

(3) Notwithstanding the provisions of subsection (1), no licence shall be issued to a charitable or religious organization where,

(a) the organization proposes to use the services of a person or organization to conduct and manage the lottery on its behalf, for a fee or other valuable consideration;

(b) the total value of all prizes to be awarded,

(i) in the operation of a single occasion bingo lottery exceeds \$3,500.00 cash or merchandise or article of equivalent market retail value,

(ii) in the operation of a single occasion raffle lottery exceeds \$5,000.00 cash or merchandise or articles of equivalent market retail value;

(c) pyramiding of games is to be permitted; or

(d) games of a type or kind known as razzle dazzle, roll down, three card monte, punch board, coin table, any dice game, or any variation thereof, are to be operated.

4.(1) The Chief Lottery Licence Officer shall issue such licences as Council may authorize.

(2) Subject to subsection (1), no other provision of this by-law shall be deemed to oblige the Chief Lottery Licence Officer to issue a licence.

5.(1) Not more than one licence shall be issued to an applicant.

(2) No person to whom a licence has been issued shall be issued any other licence.

(3) Where a licence has been issued, no licence shall be issued to a branch, division or any other part of the licensee or to any applicant acting on behalf of the licensee or its branch, division or any other part of it.

(4) Where a licence has been issued to a branch, division or any other part of a person, association, partnership or group, no licence shall be issued to the person, association, partnership or group.

6. A licence issued to an applicant shall be in the form and content prescribed in the Provincial Terms and Conditions.

7. A licence issued under this by-law is not transferable.

8.(1) A licence issued by the Chief Lottery Licence Officer is the property of the Council and shall be returned to the Chief Lottery Licence Officer within 7 days after the date of the occasion or the date of the last occasion for which it was issued.

(2) No licence shall be issued by the Chief Lottery Licence Officer until all licences previously issued have been returned to the Chief Lottery Licence Officer.

9.(1) A copy of each application for a licence shall be forwarded by the Chief Lottery Licence Officer to the Chief Constable.

(2) A copy of each licence approved shall be forwarded by the Chief Lottery Licence Officer to the:

(a) the Chief Constable;

(b) the Entertainment Standards Branch of the Ministry of Consumer and Commercial Relations; and

(c) the Chief Inspector, Anti-Gambling, Ontario Provincial Police.

PART II

APPLICATION FOR A LICENCE

10.(1) Subject to subsection (2), an application for a licence shall be made to the Chief Lottery Licence Officer no later than 45 days prior to the date or the first date on which the lottery scheme is to occur.

(2) An application for approval of a Provincial Licence shall be made to the Chief Lottery Licence Officer no later than 90 days prior to the date or the first date on which the lottery scheme is to occur.

11. A true copy of the application shall be lodged by the Chief Lottery Licence Officer with the Chief Constable.

12. An application for a licence shall be in form and content prescribed in Schedules 1 through 3 as applicable.

13. The Chief Constable shall,

(a) make such investigation as he may require on every application for a licence, and

(b) make a report to the Chief Lottery Licence Officer.

PART III

FEES

14.(1) The applicant shall pay a licence fee at the time of making of the application in such amount prescribed in Schedule "4".

(2) No licence shall be issued until a licence fee has been paid.

(3) Where no licence is issued, the licence fee shall be refunded to the applicant.

(4) No licence fee shall be refunded to the licensee where a licence is suspended or cancelled or otherwise ceases to be in force.

PART IV

BINGO LOTTERIES

15. Every bingo licensee shall in writing appoint a person, being a bona fide member of its charitable or religious organization, to act as bingo lottery manager during the occasion of the bingo lottery.

16. The bingo lottery manager shall supervise the management and carrying on of the bingo lottery.

17. No person other than a bona fide member of the licensee, shall directly or indirectly perform any service, function or duty in the conduct of the licensed bingo lottery including,

(a) supervision;

(b) volunteer or other assistance;

(c) assigning duties;

(d) supervising any instruction on the performance of any service, function or duty, and verifying the instructions with the bingo manager;

(e) designing the schedule of games;

(f) awarding prize monies;

(g) stipulating the amount of card prices;

(h) controlling and regulating,

(i) the rate charged for bingo cards; and

(ii) collection of payment for bingo cards;

(i) calling the bingo;

(j) checking and validating all claims of bingo;

(k) designing and placing of all bingo advertisements;

(l) keeping all records relating to the lottery bingo occasion;

- (m). handling all receipts, cash or other payments;
- (n) payment of all prizes;
- (o) payment of all administrative costs, including hall rental, bingo cards, supplies, equipment, advertising, honorariums and security;
- (p) setting up, maintaining, access, and signing authority for the bank account, and access and control of cash float;
- (q) distribution of proceeds for approved charitable or religious purposes;
- (r) supervise the admittance of players to the hall, and ensuring no admission is charged; and
- (s) preparation of financial reports and submission of the reports to the City.

18. The bingo lottery manager shall,

- (a) be continuously present on the premises or part thereof during the full occasion of the bingo lottery;
- (b) make all such reports as may be necessary under this bylaw on behalf of a licensee; and
- (c) be familiar with the provisions of,
 - (i) The Criminal Code of Canada relating to lottery schemes,
 - (ii) Ontario Order-in-Council 274/70 as amended,
 - (iii) the Provincial Terms and Conditions, and
 - (iv) the provisions of this by-law.

19.(1) A bingo lottery licence may be issued for a single occasion, or for a number of occasions occurring during a period not exceeding one calendar year.

(2) A bingo lottery licence shall specify the place where the bingo lottery is to be operated, the date or dates of operation, and the starting and finishing times.

(3) No one shall conduct a bingo lottery scheme, and no bingo lottery licence shall be approved, where the lottery does not allow for a separation of at least one half hour between other licensed bingo lotteries for the same location.

(4) No bingo game cards for an event shall be sold until after the conclusion of the previous event for that location and date.

20.(1) Every bingo licensee shall submit to the Licensing Committee for its approval all proposed schedules of rates to be charged for bingo cards.

(2) No bingo licensee shall charge for any bingo card except in accordance with the schedule of rates as approved by the Licensing Committee.

21. A bingo licensee shall ensure that seating capacity is in compliance with legal requirements, and abide by such limits thereon as may be posted by order or by-law at the location used for bingo games.

22. The total receipts for each bingo lottery shall be divided as follows:

- 1. A maximum of 65% of the total receipts shall be paid as

prizes.

2. Not more than 15% of the total receipts shall be paid for or on account of expenses.

3. Not less than 20% of the total receipts shall be paid to the charitable or religious organization to whom the licence was issued.

23. No bingo caller in a bingo lottery shall have a pecuniary interest, directly or indirectly in any form whatsoever, in the bingo game which he is conducting.

24. No floor checker in a bingo lottery shall check any card in which he has an interest, pecuniary or otherwise, directly or indirectly and in any form whatsoever.

25. Every floor checker in a bingo lottery shall audibly confirm each number on the card being checked, while the caller is calling back the winning numbers of a claimed bingo.

26. In addition to any other requirements under this by-law, a bingo lottery licensee and bingo lottery manager shall comply with the following regulations:

1. Conduct or allow to be conducted only the type of game provided in the licence.

2. Display the licence conspicuously, and keep and maintain the licence displayed conspicuously, at the location and during the occasion for which the licence was issued.

3. Post one or more signs having dimensions and letter size as set out in Table 1 below, conspicuously placed so as to be clearly visible to the bingo lottery players, showing the bingo lottery rules in form and content hereto annexed as Schedule "5".

TABLE 1

	Minimum Height	Minimum Width
Sign (in Metres)	2	1
Letters (in centimetres)	3.75	1

4. Retain all books of account and all other records for not less than four years from the date of the occasion on which the bingo lottery was conducted.

5. Not allow or acquiesce in a person under the age of 16 years to operate or assist in the operation of a bingo lottery, or to play or take part in the play of the bingo lottery.

6. Where a bona fide member of a licensee assists in the conduct of a bingo lottery, not allow compensation paid to the person to exceed \$8.00 for each occasion.

7. Keep and maintain a record of all members assisting in the conduct and management of the bingo lottery, and the amount of compensation paid to the person for each occasion.

8. Not provide, directly or indirectly, or allow to be provided, transportation of patrons to and from the place where any bingo lottery is conducted, without the prior written consent of the Licence Committee or Council pursuant to the Provincial Terms and Conditions.

27. The players, persons assisting in the game, persons involved in the management and conduct of the game, and all other persons to

whom the bingo lottery rules apply, which rules are attached hereto as Schedule "5", shall comply with the rules.

PART V

RAFFLE LOTTERIES

28. A raffle lottery licence shall be issued for not more than one individual raffle scheme.

29. The winner or winners in each individual raffle scheme shall be determined and publicized in the manner set out in the application.

30. Every raffle lottery licensee shall comply with the following regulations:

1. Set out in its application for a raffle lottery licence, the total number of raffle lottery tickets to be printed for sale.

2. Number all raffle lottery tickets consecutively and in sequence.

3. Print, or cause to be printed, on the face of the raffle ticket, the following information:

- (a) The name and address of the licensee.

- (b) The date and time at which the draw on the raffle lottery is to be held.

- (c) The number and nature of the prizes to be awarded on the raffle lottery.

- (d) The licence number of the licensee.

- (e) The consecutive number of each raffle lottery ticket.

- (f) The name of the printer of the raffle lottery ticket.

4. Retain all unsold tickets and counterfoils of tickets sold, for a period of not less than 90 days from the date of the raffle lottery draw.

5. Produce or make available, all unsold tickets upon demand by a lottery licence officer or police constable.

PART VI

GENERAL

31. Every licensee shall comply with the following regulations:

1. Produce the lottery licence immediately upon demand by a lottery licence officer or a police constable.

2. Except as otherwise provided in the Provincial Terms and Conditions, use the gross receipts derived from the lottery for the charitable or religious object or purpose as set out in the application for a licence, less the cost of the prizes awarded and such reasonable and necessary administrative expenses actually incurred in the management and conduct of the lottery scheme.

3. Submit to the City, not later than 30 days after the holding of each licensed lottery scheme, a written report on forms furnished by the City, including the following information:

- (a) the total gross receipts derived from the lottery scheme;

- (b) the total cost of all the prizes actually awarded, and

whether paid by cash or cheque;

(c) an itemized list of all costs actually incurred in the management and conduct of the lottery;

(d) the total proceeds donated for charitable or religious purposes as set out in the application of the licence;

(e) the name and address of any payee to whom proceeds are paid and the names and addresses of the donee to whom any proceeds are donated for religious purposes and charitable purposes.

4. Comply with all provisions of the law, including but not limited to the following:

(a) the Criminal Code,

(b) Provincial Order-in-Council 274/70, as amended,

(c) the Provincial Terms and Conditions, and

(d) the provisions of this by-law.

32. No person or organization shall be employed to manage or conduct a lottery scheme, either upon a fee or contingency basis, unless such person or organization has received prior approval, in writing from the Minister, and an original copy of such approval has been given to the Chief Lottery Licence Officer at least 5 days in advance of the date set for the lottery scheme.

33. A lottery licence officer or any police constable shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the lottery scheme before or after the issue of a licence.

34.(1) Where a police constable is satisfied that there exists a breach of the law or that the holding of the lottery scheme will result in a breach of the law, he may order the licensee or its officers, agents or servants, to cease and desist from further conducting the lottery scheme, upon threat of prosecution for failure to comply.

(2) Where an order has been made under subsection (1), the police constable shall in addition to any other action provide a report of the incident to the Chief Lottery Licence Officer.

35. No person shall hinder or molest or interfere with a lottery licence officer or police constable doing anything he is authorized to do or to prevent or attempt to prevent the lottery licence officer or police constable from doing any such thing.

36. Compliance with the provisions of this by-law is a term and condition of,

(a) the issue of a licence;

(b) the remaining in force of a licence.

37. Where a licence holder under this by-law, in the management or conduct of the lottery scheme and distribution of proceeds thereof, fails to comply with,

(a) any provision of this by-law or any other law; or

(b) any terms and conditions imposed on the licence, including those imposed by the Schedules attached to this by-law,

the Council may revoke or suspend the licence.

38.(1) Where the Council deems it expedient in the best interest of

the City, the Council may cancel or suspend the licence.

(2) A licence that is not in force includes a licence that is cancelled or suspended.

39. No person, partnership, association or group shall conduct and manage a lottery scheme unless a licence has been issued under this by-law and is in force on the occasion of the lottery scheme.

40.(1) The Council may approve or disapprove the issuance of a Provincial Licence which affects the City of Hamilton.

(2) The approval or disapproval shall be in writing.

41. The following By-laws are repealed:

1. By-law No. 78-130, passed on the 25th day of April, 1978, except for section 55 thereof.

2. By-laws amending By-law 78-130, being City of Hamilton By-law Nos. 80-188, passed on the 24th day of June, 1980, No. 81-248, passed on the 8th day of September, 1981, No. 82-44 passed on the 23rd day of February, 1982, No. 86-38 passed on the 10th day of December, 1985, No. 87-18 passed on the 13th day of January, 1987, and No. 89-280 passed on the 26th day of September, 1989.

42. The attached Schedules are annexed hereto and form a part of this by-law, being;

1. Schedule "1" : Part "A"-General Terms and Conditions Under Which a Lottery Licence is Issued, Part "B"-Application to Manage and Conduct a Raffle Lottery, and Part "C"-Application to Manage and Conduct a Lottery Type Scheme at a Bazaar.

2. Schedule "2" : Part "A"-Terms and Conditions Under Which the Bingo Lottery Licence is Issued, Part "B"-Application to Manage and Conduct a Bingo Lottery, and Part "C"-Bingo Lottery Report.

3. Schedule "3" : Part "A"-Terms and Conditions Under which the Break Open Ticket Licence is Issued, Part "B"-Application to Manage and Conduct a Nevada Ticket Lottery, and Part "C"-Nevada Ticket Lottery Report.

4. Schedule "4" : Licence Fees.

5. Schedule "5" : Bingo Lottery Rules.

SAVING

43. In the event of a conflict between the provisions of this by-law and any Federal or Provincial Act, or an Order-in-Council of the Province passed under the authority of section 207 of the Criminal Code, or the Provincial Terms and Conditions, the provisions of such Act, Orders-in-Council, or term and condition as applicable, prevail to the extent of such conflict.

44. This by-law may be cited as "The Lottery Licence By-law, 1991".

PASSED this day of , 1991.

City Clerk

Mayor

(1991)

APPLICATION TO MANAGE AND CONDUCT A LOTTERY TYPE SCHEME AT A BAZAAR

We, the undersigned, as two principal officers of the below named organization apply for a licence to manage and conduct a Lottery Type Scheme at a Bazaar to be managed and conducted by us.

NAME OF ORGANIZATION
ORGANIZATION ADDRESS

ALL INFORMATION TO BE PRINTED OR TYPED
USE SEPARATE SCHEDULE IF SPACE INSUFFICIENT

DATE OF APPLICATION

TELEPHONE NUMBER (PRINCIPAL OFFICER)

2. TYPE OF LOTTERY SCHEME(S) TO BE OPERATED

GAMES OF CHANCE (wheels of fortune only)	TYPE OF WHEEL	NUMBER

DRAWS	TYPE OF DRAW	NUMBER	PRIZES TO BE AWARDED

3. CHARITABLE OR RELIGIOUS OBJECTS OR PURPOSES TO WHICH PROCEEDS ARE TO BE DONATED

NAME AND LOCATION OF PREMISE WHERE THE LOTTERY WILL BE CONDUCTED

NAME			
LOCATION		MUNICIPALITY	
DATES	FROM	TO	TIME

CERTIFICATE

WE	NAME OF OFFICER	AND	NAME OF OFFICER
OF	NAME OF ORGANIZATION		
OF	MUNICIPALITY		IN COUNTY OF
			THE

jointly and severally, hereby certify that:

- (1) We have read, and have in our possession, and agree to comply with, the provisions of Schedule A - Terms and Conditions under which the Lottery Licence is issued.
- (2) We have read over this application.
- (3) All facts stated and information furnished herein are true and correct.
- (4) We are the holders of the offices with descriptive title as set out and appearing under our respective signatures below.
- (5) If a licence is granted, we undertake to comply with all the terms and conditions of such licence.

	SIGNATURE OF OFFICER	
	PRINT NAME	
	TITLE & TEL. NO.	
	ADDRESS	
	DATE	
	WITNESS SIGNATURE	



Ministry of
Consumer and
Commercial
Relations

TERMS AND CONDITIONS UNDER WHICH THE BINGO LOTTERY LICENCE IS ISSUED

INTERPRETATION:

- (a) Bingo means and includes a specific game of chance, commonly known as bingo, in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random.
- (b) "Regular Bingo Licence" means a licence permitting the conduct of bingo on more than three occasions but not exceeding twenty-six occasions during any six month period.
- (c) "Special Bingo Licence" means a licence permitting the conduct of bingo on not more than three occasions during any three month period.
- (d) "Net Proceeds" means the amount of the gross receipts derived from the conduct of the bingo that shall remain after deducting all reasonable sums necessarily and actually expended for supplies and equipment, prizes, rental and administration.

It is a condition of each licence that —

- (1) The Licencee shall comply with Sections 206 and 207 of the Criminal Code of Canada.
- (2) The licensee shall comply with all the terms and provisions set out in the application for licence.
- (3) **The licensee shall maintain all funds raised in a separate account.** Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the bingo less the amount awarded in cash prizes. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of payment of the necessary and reasonable expenses incurred in the operation and conduct of the bingo or for the disbursement of net proceeds derived from the conduct of the lottery for one or more charitable objects or purposes. The commingling of monies derived from the conduct of a lottery with any other funds of the licensee or monies derived from one type of lottery with monies derived from another type of lottery is strictly prohibited.
- (4) The books of account shall be kept up-to-date and all such books of account and all other records shall be maintained for a period of no less than four years.
- (5) The net proceeds from the bingo lottery shall be used for a charitable or religious object or purpose in Ontario.
- (6) The licensee shall conduct or allow to be conducted only the type of game or games provided in the application and the licence.
- (7) The licensee shall not permit any person apparently under the age of sixteen years to play any game of bingo.
- (8) The licensee shall produce the licence on demand.
- (9) Each licence shall be conspicuously displayed at the place where the bingo is to be conducted and at all times during the conduct thereof.
- (10) No person except a bona fide member of the licensee shall participate in the management and conduct of the bingo lottery and no person shall receive any remuneration for participating in the management and conduct of the bingo lottery occasion save and except an honorarium not in excess of Eight Dollars (\$8.00). Notwithstanding the foregoing, a licensee may hire sufficient personnel to maintain security at the bingo.
- (11) The officers of the licensee shall designate a bona fide, active member of the licensee to be in charge of and primarily responsible for the conduct of the games of bingo on each occasion. The member in charge shall supervise all activities on the occasion for which he/she is in charge and shall be responsible for the making of the required report on the results thereof. The member in charge shall be familiar with the provisions of the Criminal Code of Canada, the terms and conditions governing licences as set out herein and any additional terms of the licence. **He/she shall be present on the premises continuously during the operation of the bingo.**
- (12) The aggregate amount of all prizes offered or given in all games played on a single occasion under the authority of a Regular Bingo licence shall not exceed the sum of Five Thousand Five Hundred Dollars (\$5,500). Municipally licenced events not to exceed \$3,500.
- (13) The aggregate amount of all prizes offered or given in all games played on a single occasion under the authority of a Special Bingo licence shall not exceed the sum of Ten Thousand Dollars (\$10,000). Municipally licenced events not to exceed \$3,500.
- (14) No licence for the conduct of any game of bingo shall be effective for a period of more than six months from the date of original issuance; provided, however, that such licence may be renewed for successive six month periods.
- (15) The total expenses, exclusive of prizes awarded, in the conduct and management of any bingo lottery shall not exceed 15% of the gross receipts derived therefrom.
- (16) The total net proceeds from the bingo lottery shall be used for a charitable or religious object or purpose in Ontario and shall be not less than 20% of the gross receipts.

- (17) No licensee shall provide or allow to be provided, by contract or otherwise, transportation of patrons to or from the place where any game of bingo is conducted unless prior written authorization is obtained from the licensing authority. Application for this authorization must be in writing and must establish to the satisfaction of the licensing authority that the licensee has good cause for such request. Any authorization granted by the licensing authority may be suspended or revoked by such authority if it determines that there is no further need for such transportation or that, in the opinion of the licensing authority, the transportation of patrons to and from bingo games should no longer be authorized.
- (18) The Licensee only, and no other person, shall be permitted to advertise the bingo occasion; provided, however, that such advertising shall clearly state the name of the charitable or religious organization conducting the bingo game or games, and the bingo licence number.
- (19) No charitable or religious organization shall be eligible to obtain a Special Bingo Licence and a Regular Bingo Licence if such licences are to be effective during the same period.
- (20) No licensee shall offer, distribute or give any door prize at a bingo lottery or provide bingo cards without charge. The conduct of other social gaming events at bingo games is specially prohibited unless prior authorization has been given and a licence issued by the Lotteries Branch.
- (21) The licensee shall not charge nor shall it permit any other person to charge or collect any consideration for admission to the premises where bingo games are to be played.
- (22) If the licensee determines that the number of persons attending or who may attend at the commencement of a bingo occasion is, or would be insufficient to provide sufficient revenue to cover the cost of prizes and other expenses incurred in connection with the operation of the bingo game because of an Act of God situation or such other extreme condition which is beyond the control of the licensee, the licensee shall have the option of proceeding with the game or games with the prizes as originally offered or of cancelling the entire bingo operation. If the bingo event has commenced, the licensee shall conduct the same to its conclusion, as originally offered.
- (23) The particular arrangement of numbers required to be covered in order to win the game and the amount of the prize for each game shall be clearly and audibly described and announced to the players immediately before each game is begun.
- (24) A verification of the numbers appearing on the winning card at the time a winner is determined shall be made in the immediate presence of one or more disinterested players. The verification of winning cards shall include an audible call back of numbers appearing on the winning card or the numbers remaining in the bingo machine. In order to declare a winner of a game and declare the game closed the caller shall first enquire clearly and audibly three times of the players whether there are any other players claiming to be a winner of that game. No claim of a player to have won a game shall be valid if made after the game has been declared closed by the caller and the bingo machine reset for the next game or continuation of the same game in accordance with this provision.
- (25) The member of the licensee in charge of the bingo occasion shall provide for the preparation of and certify a separate written record for each bingo game played on which there shall be recorded the numbers called for that game. Such sheet shall constitute the official record of the game and in the event of an error in verification of a winning card resulting in a game being declared closed without a bona fide winner, the game shall be reconstructed, using such official record to identify the numbers previously called and the game shall continue to be won by a player. Such official record shall be maintained by the licensee for a period of thirty days following bingo occasion.
- (26) Within ten days after the conclusion of the conducting of any game of bingo, the licensee and its members who were in charge thereof shall furnish to the licensing authority a duly verified statement showing:
- (i) name and address of the licensee
 - (ii) date when and address where the bingo game was conducted
 - (iii) the applicable bingo licence number
 - (iv) the number of players attending
 - (v) the gross receipts derived therefrom allocating the gross receipts derived from admissions, regular game cards, special game cards and extra cards
 - (vi) a list of prizes offered and given indicating the total prizes given for regular games and itemizing the prizes awarded for special games
 - (vii) each item of expenditure incurred or paid and the name and address of each person to whom such item has been paid or is to be paid with a detailed description of the merchandise purchased or the services rendered therefor
 - (viii) the net proceeds derived from such game or games and the use to which such proceeds have been or are to be applied
 - (ix) the name and address of the financial institution where the Trust Account is kept, the number of the account and the balance of proceeds retained in the account for future disbursement for charitable or religious purposes
- (27) It shall be the duty of each licensee and its member or members in charge of the conduct of the bingo game or games to maintain such books and records as may be necessary to substantiate particulars of each such statement.
- (28) All prizes and the total of administration costs incurred in the management and conduct of the bingo must be deducted and paid out from the gross receipts derived from the bingo.
- (29) Such officers as the Minister may appoint, and all peace officers shall, at all reasonable times, have direct and unimpeded access to enquire into the nature, management, and conduct of the proceedings for which the licence has been granted, either prior to, during or after the conclusion of such proceedings.
- (30) Any licence issued hereunder shall be valid during its effective period only so long as the terms and conditions to which the licence is subject have been complied with.
- (31) A licence may be suspended or cancelled by the issuing authority for breach of any term or condition.
- (32) The Minister may, at any time, suspend or cancel a licence for the breach of any term or condition, or where, in his opinion, to do so is in the public interest.



Ministry of
Consumer and
Commercial
Ontario Relations

Application to Manage and Conduct a Bingo Lottery

We, the undersigned, as two principal officers of record of (organization) (address)

Postal Code

apply for a licence to manage and conduct a Bingo lottery at the dates and times, and for the charitable or religious object of purpose, and in the manner described herein.

1. Check ☐ A single Bingo lottery to be held on (date) _____
one

starting at (time) _____ finishing at (time) _____

☐ A series of Bingo lotteries to be held in the period from (date) _____

to (date) _____, each lottery starting at (time) _____

finishing at (time) _____ and at the rate of (weekly/specify) _____

Total number of event _____ Specific Dates _____

To be held on ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday ☐ Sunday

2. The charitable or religious objects or purposes to which proceeds are to be devoted are described as

1. _____ 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

3. Is Applicant incorporated as a non-profit Organization in the Province of Ontario?
If Yes, give Incorporation number

☐ YES
☐ NO

4. Is the Organization registered with the Department of National Revenue as a charitable organization?
If Yes, give Registration Number

☐ YES
☐ NO

5. How long has the Organization been in existence?

6. How many members does the Organization have?

7. Is this organization presently running bingo events? ☐ Yes ☐ No

—Weekly —Biweekly

If yes, at which Hall? _____

—Monthly —Quarterly

☐ Municipal Licence ☐ Provincial Licence

—Other _____

8. The total value of all prizes to be awarded within the operation of each Bingo lottery for which this application is made is not to exceed \$_____ cash value, or merchandise or articles at equivalent market retail value.

9. Indicate Premises where Bingo games will be conducted.

Location

_____ Street
Capacity of Premises for Public Assembly Purposes _____

10. Designated Member in Charge
I, as an active, bona fide member of _____

hereby certify that as the designated member in charge of the Bingo lottery for which this application is made, I will be responsible for the management and conduct of the Bingo lottery in accordance with the terms and conditions under which the Bingo lottery licence is issued.

(TO BE COMPLETED BY SECOND DESIGNATED MEMBER WHERE APPLICABLE)

		PRINT Name Title		
		Title		
Number and Street		Address	Number and Street	
City and Province	Postal Code		City and Province	Postal Code
Name	Signature	Phone Number	Name	Signature
		Date		
		Signature		

T.T. Proposed Administrative expenses for each event (on an amortized basis or as a percentage of gross)	
Item	Name and Address of Paves
HALL RENT	
SUPPLIES	
ADVERTISING	
HONORARIUMS	
EQUIPMENT	
SECURITY	
LICENCE FEE	
OTHER sum	
TOTAL \$	

TOTAL	\$
-------	----

- | | |
|------------------|------|
| Blower (or cage) | 0000 |
| Bingo Cards | 0000 |
| Lighted Board | 0000 |

14. We have read, and have in our possession, and agree to comply with, a statement of the Terms and Conditions under which the Bingo lottery licence is issued.

CERTIFICATE

of (municipality _____) of the County of _____

(5) If a licence is granted, we undertake to comply with all the terms and conditions of such licence.

PRINCIPAL OFFICER		PRINCIPAL OFFICER	
		◀ Name in Fed ▶	
		◀ Title ▶	
Number and Street		◀ Address ▶	Number and Street
City and Province	Postal Code		City and Province
			Postal Code
Name	Business	◀ Phone Numbers ▶	Name
			Business
		◀ Date ▶	
		◀ Signature ▶	
		◀ Witness (SAC/PA) ▶	

Source of information is related to personnel officer indicated by check mark (✓).



Ministry of
Consumer and
Commercial
Relations

Ministère de la
Consommation
et du
Commerce

10 Wellesley St. E., 5th Floor
Toronto, Ontario
M7A 2H8
10, rue Wellesley est. 5^e étage
Toronto (Ontario)
M7A 2H8

SCHEDULE "2": PART "C"
BINGO LOTTERY REPORT
RAPPORT DE BINGO

This report must be filed with the Lottery Licensing Officer not later than 10 days after the holding of each licensed bingo in accordance with the Terms and Conditions under which the Bingo lottery licence is issued.
Ce rapport doit être soumis à l'agent responsable des permis de loterie dans les dix jours qui suivent chacun des bingos autorisés, conformément aux conditions de délivrance du permis de bingo.

Name of organization / Nom de l'organisme

Address / Adresse

Premises utilized
Locaux utilisés

Hall Address / Adresse des locaux

City/Town
Ville/Locales

Postal Code
Code postal

Lottery Licence No
Permis de bingo N°

Total Prizes Licensed
Total des prix autorisés

Date of Bingo
Date du bingo

Time Event Licensed / Durée du bingo
From / de To / à

No of players attending
Nombre de joueurs présents

Designated member in charge
Personne responsable désignée

Home Phone Number
Tél. à dom

Bus Phone
Tél. d'aff

1. Details of Gross Receipts and Prizes Awarded / Détails des recettes brutes et des prix attribués

	Canadian Funds / Dollars canadiens				U.S. Funds / Dollars américains			
	No. of cards sold Nbre de cartes vendues	Price per card Prix de la carte	Receipts Recettes	Prizes Prix attribués	No. of cards sold Nbre de cartes vendues	Price per card Prix de la carte	Receipts Recettes	Prizes Prix attribués
A Regular Games & Extra Parties régulières et supplémentaires	1							
	2							
	3							
	4							
	5							
	6							
(1) Early Birds (Total) Parties pour matineux (Total)								
(2) Special No. 1 Partie spéciale N° 1								
(3) Special No. 2 Partie spéciale N° 2								
(4) Special No. 3 Partie spéciale N° 3								
(5) Special No. 4 Partie spéciale N° 4								
(6) Special No. 5 Partie spéciale N° 5								
(7) Special No. 6 Partie spéciale N° 6								
(8) Night Owls (Total) Parties pour oiseaux de nuit (total)								
(9) Other Autres								
(10) Other Autres								
Total								

Details of Gross Receipts Détails des recettes et des prix attribués	A Total Receipts in Canadian Dollars Total des recettes en dollars canadiens	\$	D Total Prizes in Canadian Dollars Total des prix en dollars canadiens	\$
	B Total Receipts in U.S. Dollars Total des recettes en dollars américains	\$	E Total Prizes in U.S. Dollars Total des prix en dollars américains	\$
	C + State Premium on U.S. Dollar(s) _____ % + Indiquer le taux de change	\$	F + State Premium on U.S. Dollar(s) _____ % + Indiquer le taux de change	\$
	Total Gross Receipts (A + B + C) Total des recettes brutes (A + B + C)	\$	Total Prizes Awarded (D + E + F) Total des prix attribués (D + E + F)	\$

2. Details of Administrative Expenses / Détails des frais d'administration encourus

Item / Poste	Name of Payee / Nom du bénéficiaire	Cost \$/Coût en \$
Hall Rent Location de la salle		
Supplies Fournitures		
Advertising Publicité		
Honorariums Honoraires		
Equipment Équipement		
Security Sécurité		
Licence Fee Frais de permis		
Other (List) Autres (préciser)		

Total Administrative Expenses to be paid in Canadian Funds only
Total des dépenses administratives à acquitter en dollars canadiens seulement

\$

3. Total Net Proceeds derived from this event
Produit net de ce bingo

(Total Net Proceeds = Total Gross Proceeds - Total Prizes - Total Administrative Expenses)
(Produit net = total des recettes brutes - total des prix - total des frais d'administration)

TERMS AND CONDITIONS UNDER WHICH THE
BREAK-OPEN TICKET LICENCE IS ISSUED
(FORM BOTL-TC)

It is a condition of each licence that:

- (1) The licensee shall comply with Sections 189 and 190 of the Criminal Code of Canada.
- (2) (a) the licensee shall comply with all the terms and conditions set out in the application for licence.
 (b) an application for Break-Open Tickets shall be made either:
 - (i) to the local Municipal Council in those Municipalities where all Break-Open Ticket licences are issued by that Municipality with the exception of the provisions contained in Section 5, or, in all other cases
 - (ii) to the Lotteries Branch, after appropriate approval is obtained from the local Municipal Council or Band Council where the sales are proposed to take place.
- (3) A Break-Open Ticket Licence shall only be issued to a charitable or religious organization which owns or regularly occupies premises at which tickets will be offered for sale.
- (4) (a) Each applicant for a licence shall specify one designated location at the address where all Break-Open Tickets will be sold. If a licence is issued, tickets shall not be sold at any place other than the location designated in the application and specified on the licence.
 (b) The designated location specified pursuant to this section shall not be a public, commercial, retail location, nor a location licenced by the L.L.B.O. as a public tavern or beverage room.
- (5) Break-Open Tickets may be sold in association with another Social Gaming event provided that:
 - (i) the tickets are sold under a licence issued by the Lotteries Branch pursuant to Section 2(b)(ii)
 - (ii) the licence is issued only to the charitable or religious group(s) conducting the other event(s) at the location where the tickets are to be sold
 - (iii) all terms and conditions for the sale of Break-Open Tickets and the conduct of the other event(s) are complied with.
- (6) No licence shall be issued for a period exceeding six months.
- (7) A licence shall be issued only for the sale of Break-Open Tickets which retail for a maximum of .50¢ and conform with the ticket quantities, prices and prize payouts as provided below; scratch-off or other forms of break-open tickets are not permitted. The value of any prize awarded shall not exceed \$100.00.

COMMON NAME	NO. OF TICKETS PER UNIT	PRICE PER TICKET	GROSS UNIT REVENUE	NO. OF WINNING TICKETS PER UNIT	PRIZES PER UNIT	LICENCE FEE PER UNIT
Regular	1668 or 1664	\$.50	\$ 834 or \$ 832	224	\$600.00	\$10.00
Super	2184	\$.50	\$1092	224 or 228	\$800.00	\$12.00
Junior	1668 or 1664	\$.25	\$ 417 or \$ 416	224	\$284.00	\$5.00

- (8) The licensee shall forward a copy of the licence to the manufacturer or the distributor from which tickets are to be purchased.
- (9) The applicant shall supply, upon the request of the licensing authority, a signed right of access from the distributor and the manufacturer of the tickets for which the application is submitted.
- (10) The licensee shall indicate on the face of the tickets the name of the organization, the numbers and amounts of the prizes to be awarded, the price of a ticket, the serial number of the ticket, the licence number and the name of the manufacturer of the ticket.
- (11) The licensee shall maintain all funds raised in a separate account. Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the Break-Open Ticket Lottery less the cash payments made for prizes and administrative expenses. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of the payment of the necessary and reasonable expenses incurred in the operation of the lottery or for the disbursement of net proceeds derived for one or more charitable object or purposes. The comminglings of monies derived from the conduct of a lottery with any other funds of the licensee or monies derived from Break-Open Tickets Lottery with monies derived from any other type of lottery is strictly prohibited.
- (12) The gross receipts derived from the sale of Break-Open Tickets shall be used for the charitable or religious objects or purposes set out by the licensee in the application for the licence less all reasonable costs actually expended for the payment of prizes, the purchase of tickets, administrative costs and licence fees.
- (13) All proceeds derived from the sale of Break-Open Tickets shall be used for a charitable or religious object or purpose in Ontario.
- (14) No part of the proceeds derived from the conduct of a Break-Open Ticket Lottery shall be applied to the premises at which the sale of Break-Open Tickets is authorized unless the use of the proceeds for such purpose shall enhance the ability of the licensee to perform services of public good or welfare, and written permission is obtained from the Licensing Authority. The maximum amount of proceeds which any licensee may expend on the premises shall not exceed twenty-five percent of the total net proceeds derived from the conduct of the lottery.
- (15) No licensee shall offer for sale any ticket or number of tickets not contained in a jar, box or other container in which all tickets of the given unit have been placed for sale.
- (16) When the number of tickets within the container has been apparently reduced by one-half, the licensee shall refill the container by adding an additional unit (units) of tickets.
- (17) (a) The licensee shall designate a bona-fide member or members of the organization to be primarily responsible for the sale of tickets, the payment of prizes and the keeping of all required records.
(b) The actual handling or selling of tickets shall not be delegated to any organization, company, entity, or to any other person who is not a bonafide member of the licensee.
- (18) No person who is in any way associated with the sale of Break-Open Tickets shall be permitted to purchase a ticket or participate in the winnings of any ticket.
- (19) No person or organization shall receive any remuneration for selling Break-Open Tickets. Maximum administrative expenses for the sale of tickets shall not exceed .01¢ (one cent) for each ticket sold.
- (20) The licensee shall not sell any ticket at a price other than the price appearing on the face of the ticket.

- (21) All Break-Open Tickets shall be opened by the purchaser at the premises stated on the licence and all winning tickets shall be exchanged for cash on the day of sale.
- (22) Winning tickets shall be defaced by the seller at the time of prize payout.
- (23) Each licensee will be held responsible for and shall guarantee the payment of all winnings.
- (24) The licensee shall post the Break-Open Ticket Licence in a conspicuous place at the premises where tickets are being sold.
- (25) The licensee shall obtain invoices for all Break-Open Tickets purchased and retain all invoices for a period of no less than two years.
- (26) Each licence shall at all times maintain complete security over the Break-Open Tickets in its possession and all funds associated therewith. For control of inventory purposes, all stock must be stored and kept in one fixed location in order to permit, if requested, the periodic reconciliation of stock usage and cash flow.
- (27) (a) The licensee shall not permit any person under the age of sixteen years to purchase a ticket.
(b) The licensee shall not extend credit, accept cheques or accept payment by way of credit card for the purchase of any Break-Open Tickets.
- (28) Each licensee shall submit a report on the sale of Break-Open Tickets as set out in Form BOTL-R.
- (29) Such officers as the Minister and Municipal Council may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during, or after the conclusion of such proceedings.
- (30) A licence may be suspended, cancelled or renewal refused by the issuing authority for breach of any term or condition.
- (31) The Minister may, at any time, suspend or cancel a licence for the breach of any term or condition, or where, in his opinion, to do so is in the public interest.



SCHEDULE "3": PART "B"
Application to Manage and Conduct
a Nevada Ticket Lottery

(Form NTL-A)

We, the undersigned, as two principal officers of record of (name of organization)

(address)

apply for a licence to manage and conduct a Nevada Ticket Lottery at the premises municipally known as

and situated in the municipality of

If a licence is granted, all tickets applied for will be sold only at (specify exact location within the above premises.)

1. The specific Charitable or Religious Objects or Purposes to which proceeds are to be donated are described as

2. Type of Nevada Tickets to be sold (check one)

Regular Nevada ☐

Super Nevada ☐

Junior Nevada ☐

3. Description of Scheme

(a) Number of Tickets per box/unit

(b) Price per ticket \$

(c) Gross Revenue per unit \$

(d) Total prizes per unit \$

(e) Number of winning tickets per unit

4. The Nevada tickets referred to in this application form are manufactured by (Name of Company)

and will be purchased from

(Name and Address of Distributor)

5. Price per unit \$

6. Ticket sales will commence on (date) and terminate on (date) (maximum six month period).

7. The total number of units to be sold during the period for which the application is made shall not exceed

(over)

Certificate

We (name) _____ and (name) _____
of (organization) _____
of (municipality) _____ of the County of _____

jointly and severally, hereby certify that:

- (1) We have knowledge of the matter herein set out,
- (2) We have read over this application,
- (3) All facts stated and information furnished herein are true and correct,
- (4) We are the holders of the offices with descriptive title as set out and appearing under our respective signatures below.
- (5) We understand that if a licence is granted, Nevada Tickets may not be sold outside of the premises entered on the application and specified in the licence.
- (6) We have read, and have in our possession, and agree to comply with, a statement of the Terms and Conditions under which the Nevada Ticket licence is issued.
- (7) We understand that this licence shall be valid during its effective period only so long as the terms and conditions to which such licence is subject have been complied with and that a breach of a term or condition may cause the licence to become null and void.

Principal Officer		Principal Officer
	Signature	
	Name in Full	
	Title	
	Address	
	Bus. Phone	
	Date	
	Witness (sign)	



Ontario

Ministry of
Consumer and
Commercial
RelationsMinistère de la
Consommation
et du
CommerceNevada Ticket
Lottery Report
(Form NTL-R)Rapport de
loterie Nevada
(Formule NTL-R)

This report must be filed with the Lottery Licensing Officer in accordance with the Terms and Conditions under which the Nevada Ticket Licence is issued.
(see reverse for details)
Ce rapport doit être soumis au responsable des permis de loterie conformément aux conditions de délivrance des permis de loterie Nevada.
(voir les détails au verso)

Name of Organization Nom de l'organisme	
Address Adresse	Licence No N° de permis

1. Period for which this Report is made (check one)
Période couverte par ce rapport (cocher une case)

<input type="checkbox"/> Interim Report on ticket sales from (date)	to (date)
<input type="checkbox"/> Rapport provisoire sur les ventes de billets du (date)	au (date)
<input type="checkbox"/> Final Report on ticket sales from (date)	to (date)
<input type="checkbox"/> Rapport final sur les ventes de billets du (date)	au (date)

2. Type of Nevada Tickets sold (check one)
Genre de billets Nevada qui seront vendus (cocher une case)

	Number of tickets per unit Nombre de billets par unité	Price per Ticket Prix du billet
<input type="checkbox"/> Regular Nevada/Nevada normal		
<input type="checkbox"/> Super Nevada/Super Nevada		
<input type="checkbox"/> Junior Nevada/Nevada Junior		

3. Details of Ticket Inventory (for Report Period)
Inventaire détaillé des billets (pour la période couverte par le rapport)

Total Number of Units Licenced Nombre total d'unités accréditées	_____
Number of Units placed in container Nombre d'unités placées dans le conteneur	_____
Number of complete Units on hand Nombre d'unités complètes disponibles	_____
Number of individual Tickets in container Nombre de billets individuels dans le conteneur	_____

4. Total Gross Receipts Derived
Total brut des recettes obtenues

\$ _____

Application of Funds
Répartition des fonds

- (a) Total Cash Prizes Awarded
Total des prix en espèces accordés

\$ _____

Net Receipts
Recettes nettes \$ _____

- (b) Administrative Costs Incurred
(for Units placed in the container)
Frais d'administration encourus
(pour les unités placées dans le conteneur)

Tickets/Billets \$ _____

Licence Fees/Frais de permis _____

Container/Conteneur _____

Total Cost/Total des frais \$ _____

- (c) Net Proceeds Derived
Recettes nettes obtenues

\$ _____

5. Details of Nevada Ticket Lottery Account
Compte détaillé de loterie Nevada

Name of Bank, Loan or Trust Company or Province of Ontario Savings Office Nom de la banque, de la compagnie de prêt ou de fiducie ou de la Caisse d'épargne de l'Ontario	Account No. N° de compte
Address/Adresse	
	Balance/Solde \$

5. Details of Charitable Donations
Détails des dons charitatbles

Name of Payee Nom du bénéficiaire	Address of Payee Adresse du bénéficiaire	Amount Donated Montant donné
Total		\$

**Certificate
Attestation**

We, the undersigned, as two Principal Officers of the above organization certify that the above report is a correct statement of the Lottery Funds referred to herein.
Les soussignés, principaux dirigeants de l'organisme mentionné ci-dessus, attestent que le rapport qui précède décrit correctement l'état des fonds de loterie en question.

Principal Officer Principal dirigeant		Principal Officer Principal dirigeant
	Signature/Signature	
	Name in full/Nom au complet	
	Title/Titre	
	Address/Adresse	
	Bus. Phone/Tél. aff.	
	Date/Date	
	Witness (sign) Signature du témoin	

Instructions For Completing the Nevada Ticket Lottery Report
Instructions pour remplir le rapport de loterie Nevada

Interim Report
Rapport provisoire

Each Licensee shall submit a completed Interim Report of all Nevada Ticket sales to the Lottery Licensing Officer within 10 days after the termination of the first three-month period of the Licence.
Le titulaire du permis soumettra un rapport provisoire complet de toutes les ventes de billets de loterie Nevada au responsable des permis de loterie dans les 10 jours suivant la fin des trois premiers mois du permis.

Final Report
Rapport final

A final Nevada Ticket Lottery Report shall be submitted within 10 days after the expiry date of the Licence. This Report shall include the details of all ticket sales for the entire period of the Licence.
Un rapport final de loterie Nevada doit être soumis dans les 10 jours suivant la date d'expiration du permis. Ce rapport doit comprendre les détails concernant toutes les ventes de billets pendant la durée complète du permis.

Where the Licensee has completed the sale of all Tickets prior to the official expiry date of the Licence, the Licence shall be deemed to have expired and a Final Report shall be submitted within 10 days thereafter. An organization wishing to sell additional Units of Nevada Tickets shall apply for a new licence.
Si le titulaire d'un permis a vendu tous les billets avant la date d'expiration du permis, celui-ci sera censé être expiré et un rapport final devra être soumis dans les 10 jours suivants. L'organisme désirant vendre des unités additionnelles de billets Nevada doit demander un nouveau permis.

If a Licensee should reasonably determine that the sale of all licenced Nevada Tickets will not be concluded prior to the expiry date of a Licence, the Licensee shall report such information to the Licensing Officer and request that the Licence be extended for a sufficient period to permit the complete sale of all Tickets originally permitted under the Licence.
Si le titulaire d'un permis peut déterminer raisonnablement que la vente de tous les billets de loterie Nevada prévue pour un permis ne sera pas terminée avant sa date d'expiration, il peut le faire savoir au responsable des permis et demander que son permis soit prolongé pour une durée suffisante afin de terminer la vente de tous les billets originalement permise en vertu du permis.

SCHEDULE "4" : LICENCE FEES

To By-law No. 91-

1. Bingo Lottery,

(a) Where the total value of prizes to be awarded within each occasion does not exceed \$500.00, for each occasion \$2.00.

(b) Where the total value of prizes to be awarded within each occasion exceeds \$500.00 and not more than \$3,500.00, for each occasion a sum of money equal to 2% of the total retail money value of prizes to be awarded.

2. Raffle Lottery a sum of money equal to 2% of the total retail money value of prizes to be awarded.

3. Lottery Scheme conducted at a bazaar \$10.00.

SCHEDULE "5"

To Lottery Licence By-law No. 91-

BINGO LOTTERY RULES

1. PLAYER MUST HAVE GAME CARDS IN ORDER TO PLAY.
2. ANY DISPUTES ARE TO BE SETTLED BY THE LICENSEE'S MEMBER IN CHARGE.
3. NO PERSON UNDER 16 YEARS SHALL OPERATE, ASSIST IN THE OPERATION OF, OR PLAY IN A BINGO GAME.
4. ALL PRIZES SHALL BE ANNOUNCED PRIOR TO THE COMMENCEMENT OF THE GAME. PRIZES SHALL BE PAID BY CASH OR CHEQUE UNLESS MERCHANDISE PRIZES HAVE BEEN ANNOUNCED.
5. A PLAYER HAS THE RIGHT TO CALL A FREEZE, STOPPING THE GAME FULLY AND COMPLETELY, IN ORDER THAT THE CALLER'S BOARD MAY BE CHECKED.
6. PERSONS ASSISTING IN THE BINGO GAME SHALL NOT PLAY THE GAME OR ALLOW OTHER PERSONS TO PLAY THE GAME FOR THEM.
7. WHEN BINGO IS CALLED, THE CHECKER SHALL AUDIBLY CONFIRM THE NUMBERS ON THE CARD BEING CHECKED DURING THE CALL BACK.
8. IN ORDER TO DECLARE A WINNER OF THE GAME THE CALLER SHALL FIRST ENQUIRE CLEARLY AND AUDIBLY THREE TIMES OF THE PLAYERS WHETHER THERE ARE ANY OTHER WINNERS, AND AFTER VERIFICATION OF ALL CLAIMS OF BINGO SHALL DECLARE THE GAME CLOSED.
9. WHERE A "BINGO" IS CLAIMED AND IT IS FOUND DURING VERIFICATION THAT THERE IS NO WINNER, THE GAME SHALL BE RESUMED.
10. NO BINGO WINNER WILL BE RECOGNIZED AFTER THE GAME HAS BEEN DECLARED CLOSED.
11. NO LICENSEE MAY VARY THE LICENSED PRIZE MONEY FOR THE EVENT.

4.(c)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 November 29

REPORT TO: Mayor and Members of City Council

FROM: Mr. K. E. Avery
City Clerk

SUBJECT: 1992 Licence Fees

RECOMMENDATION:

- (a) That Licence Fees for 1992 where applicable, be increased by 5%.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

An increase in licence fee revenues of approximately \$20,000.00

BACKGROUND:

Hamilton City Council, at its meeting held October 30, 1988, approved annual licence fee increases at an amount to cover the cost of inflation of 5%, whichever is the lesser. The City Treasurer has advised that for 1992, the applicable fees should be increased by 5%. Licence fees will be rounded off to the nearest dollar.

It should be noted that the Municipal Act sets the maximum licence fee that can be charged for certain businesses, i.e. restaurants - \$20.00, salvage yards - \$20.00, food shops - \$10.00, and, therefore, only licence fees not set by the Municipal Act can be increased.

The Corporation of the City of Hamilton.

BY-LAW NO. 91-

To Amend:

Various Licensing By-laws

Respecting:

FEES

WHEREAS By-law No. 76-32, as amended, was passed on the 27th day of January 1976, to provide for the licensing of body-rub parlours and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-144, as amended, was passed on the 8th day of May 1979, to provide for the licensing of adult entertainment parlour owners, operators and attendants, and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-323, as amended, was passed on the 22nd day of November 1979, to provide for the licensing of various trades, callings, occupations and persons engaged therein, and for licence fees in respect thereof;

AND WHEREAS By-law No. 84-71, as amended, was passed on the 27th day of March 1984, to provide for the licensing of sandblasters and building exterior cleaners, and for licence fees in respect thereof;

AND WHEREAS By-law No. 89-56, as amended, was passed on the 31st day of January 1989, amended By-law 79-323, to provide for the licensing of flea markets and for licence fees in respect thereof;

AND WHEREAS By-law No. 80-259, was passed on the 30th day of September, 1980, and was amended by By-law No. 81-93, By-law 84-245, By-law 87-272, and By-law 88-271, to provide for the licensing of second level lodging houses and for license fees in respect thereof;

AND WHEREAS By-laws No. 88-271, No. 89-347 and No. 90-318 were passed to amend By-law No. 76-32, By-law No. 79-144 and By-law No. 79-323, to provide for a revised schedule of licence fees for respectively, 1989, 1990 and 1991;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Finance and Administration Committee at its meeting held on the 21st day of November 1991, directed that Licensing By-law No. 79-323, Body Rub Parlours By-law No. 76-32, Second Level Lodging Houses By-law No. 80-259, and Adult Entertainment Parlours By-law No. 79-144, be further amended to increase licence fees for 1992.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. **SCHEDULE 1** to By-law No. 76-32 as last amended by section 1 of By-law No. 90-318, is further amended by striking out the fees in column 2 and inserting in lieu thereof for each class of licence respectively referred to,

- (a) in clauses 1(a) and 1(b), a corresponding fee in column 2 of \$6,350.00; and
- (b) in clauses 1(c) and 1(d), a corresponding fee in column 2 of \$254.00.

2. SCHEDULE 1.00 to By-law No. 79-144, as last amended by section 2 of By-law No. 90-318, is further amended by striking out the fees in columns 2, 3, 4 and 5 and inserting in lieu thereof for each class of licence respectively referred to in column 1 as "F", "G", "H", "I", "J", "K",

- (a) a corresponding fee in columns 2 and 3 of \$3,812.00; and
- (b) a corresponding fee in column 4 of \$1,271.00; and
- (c) a corresponding fee in column 5 of \$191.00.

3. Paragraph 1 of section 7 of SCHEDULE 1 of By-law No. 79-323, as last amended by section 3 of By-law No. 90-318, is further amended by striking out "\$69.00" at the end of paragraph 1 and inserting in lieu thereof "\$72.00".

4. Paragraph 1 of section 2 of SCHEDULE 2 of By-law No. 79-323, as last amended by section 4 of By-law No. 90-318, is further amended by striking out "\$18.00" at the end of the paragraph and inserting in lieu thereof "\$19.00".

5. Paragraphs 1 and 2 of section 6 of SCHEDULE 3 of By-law No. 79-323, as last amended by section 5 of By-law No. 90-318, are each further amended by striking out "\$35.00" at the end of paragraph 1 and "\$23.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

- (a) paragraph 1, "\$37.00";
- (b) paragraph 2, "\$24.00".

6. Section 33 of SCHEDULE 4 of By-law No. 79-323, as last amended by subsection 6(1) of By-law No. 90-318, is further amended by striking out the fees referred to in each of the clauses 33(a), 33(b), 33(c), 33(d), 33(e), 33(f), 33(g), 33(h), 33(i), 33(j), 33(k), 33(l), 33(m), 33(n), and 33(o), and inserting in lieu thereof for,

- (a) clause 33(a), \$56.00;
- (b) clause 33(b), \$56.00;
- (c) clause 33(c), \$3,308.00;
- (d) clause 33(d), \$193.00;
- (e) clause 33(e), \$635.00;
- (f) clause 33(f), \$318.00;
- (g) clause 33(g), \$635.00;
- (h) clause 33(h), \$380.00;
- (i) clause 33(i), \$254.00;
- (j) clause 33(j), \$28.00;

- (k) clause 33(k), \$56.00;
- (l) clause 33(l), \$56.00;
- (m) clause 33(m), \$193.00;
- (n) clause 33(n), \$193.00;
- (o) clause 33(o), \$27.00.

7. (1) Clause (a) of paragraph 1 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(1) of By-law No. 90-318, is further amended by striking out "\$18.00" at the end of the clause and inserting in lieu thereof "\$19.00".

(2) Clauses (a), (b), (c) and (d) of paragraph 2 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(2) of By-law No. 90-318, are each further amended by striking out "\$263.00" at the end of clause (a), and striking out "\$63.00" at the end of each clauses (b), (c), and (d), and respectively inserting in lieu thereof for,

- (a) clause (a), \$276.00;
- (b) clause (b), \$66.00;
- (c) clause (c), \$66.00;
- (d) clause (d), \$66.00.

(3) Clauses (a), (b), (c) and (d) of paragraph 3 of section 10 of SCHEDULE 5 of By-law No. 79-323, as last amended by subsection 7(3) of By-law No. 90-318, are each further amended by striking out "\$63.00" at the end of each of clauses (a), (b), (c) and (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$66.00;
- (b) clause (b), \$66.00;
- (c) clause (c), \$66.00;
- (d) clause (d), \$66.00.

8. Paragraph 1 of section 7 of SCHEDULE 6 of By-law No. 79-323, as last amended by section 8 of By-law No. 90-318, is further amended by striking out "\$182.00" at the end of the paragraph and inserting in lieu thereof "\$191.00".

9. Paragraph 2 of section 7 of SCHEDULE 7 of By-law No. 79-323, as last amended by section 9 of By-law No. 90-318, is further amended by striking out "\$18.00" at the end of the paragraph and inserting in lieu thereof "\$19.00".

10. Paragraph 1 of section 5 of SCHEDULE 13 of By-law No. 79-323, as amended by section 10 of By-law No. 90-318, is further amended by striking out "\$151.00" at the end of clause (c) and "\$41.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (c), \$159.00;
- (b) clause (d), \$43.00.

11. (1) Clauses (a) and (b) of paragraph 1 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(1) of By-law No. 90-318, is further amended by striking out "\$63.00" at the end of clause (a) and "\$17.00" at the end of clause (b), and inserting in lieu thereof, for clause (a) "\$66.00", and for clause (b) "\$18.00".

(2) Clauses (a), (b), (d) and (e) of paragraph 2 of section 6 of SCHEDULE 15, as last amended by subsection 11(2) of By-law No. 90-318, are each further amended by striking out "\$13.00" at the end of clause (a), "\$35.00" at the end of clause (b), "\$13.00" at the end of clause (d), and "\$18.00" at the end of clause (e) and respectively inserting in lieu thereof for,

(a) clause (a), \$14.00;

(b) clause (b), \$37.00;

(c) clause (d), \$14.00;

(d) clause (e), \$19.00.

(3) Clause (c) of paragraph 2 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(3) of By-law No. 90-318, is further amended by striking out "\$35.00" in the eighth line and substituting in lieu thereof "\$37.00".

(4) Clause (b) of paragraph 3 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(4) of By-law No. 90-318, is further amended by striking out "\$242.00" at the end of the clause and inserting in lieu thereof "\$254.00".

(5) Paragraph 4 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(5) of By-law No. 90-318, is further amended by striking out "\$242.00" at the end of the paragraph and inserting in lieu thereof "\$254.00".

(6) Clauses (a) and (b) of paragraph 5 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(6) of By-law No. 90-318, is further amended by striking out "\$51.00" at the end of clause (a) and inserting in lieu thereof "\$54.00", and striking out "\$6.00" at the end of clause (b) and inserting in lieu thereof "\$7.00".

(7) Clauses (a) and (b) of paragraph 6(i) of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(7) of By-law No. 90-318, are each further amended by striking out "\$148.00" at the end of clause (a) and "\$37.00" at the end of clause (b) and inserting in lieu thereof for,

(a) clause (a), \$156.00;

(b) clause (b), \$39.00.

(8) Paragraph 6(ii) of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(8) of By-law No. 90-318, is further amended by striking out "\$2,420.00" in the third line and inserting in lieu thereof "\$2,541.00".

(9) Clauses (a), (b), (c) and (d) of paragraph 7 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(9) of By-law No. 90-318, are each further amended by striking out "\$63.00" at the end of clause (a), "\$122.00" at the end of clause (b), "\$182.00" at the end of clause (c), "\$242.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$66.00;
- (b) clause (b), \$128.00;
- (c) clause (c), \$191.00;
- (d) clause (d), \$254.00.

(10) Clauses (a), (b), (c) and (d) of paragraph 9 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(10) of By-law No. 90-318, are each further amended by striking out "\$63.00" at the end of clause (a), "\$122.00" at the end of clause (b), "\$182.00" at the end of clause (c) and "\$242.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$66.00;
- (b) clause (b), \$128.00;
- (c) clause (c), \$191.00;
- (d) clause (d), \$254.00.

(11) Paragraph 10 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(11) of By-law No. 90-318, is further amended by striking out "\$242.00" at the end of the paragraph and inserting in lieu thereof "\$254.00".

(12) Paragraph 11 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(12) of By-law No. 90-318, is further amended by striking out "\$18.00" at the end of the paragraph and inserting in lieu thereof "\$19.00".

(13) Clauses (a) and (b) of paragraph 12 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(13) of By-law No. 90-318, are each further amended by striking out "\$18.00" at the end of clause (a) and "\$35.00" at the end of clause (b), and respectively inserting in lieu thereof for,

- (a) clause (a), \$19.00;
- (b) clause (b), \$37.00.

(14) Paragraph 13 of section 6 of SCHEDULE 15 of By-law No. 79-323, as last amended by subsection 11(14) of By-law No. 90-318, is further amended by striking out "\$18.00" at the end of the paragraph and inserting in lieu thereof "\$19.00".

12. Clauses (a) and (b) of paragraph 1 of section 10 of SCHEDULE 16 of By-law No. 79-323, as last amended by section 12 of By-law No. 90-318 of By-law No. 90-318, are further amended by striking out "\$98.00" at the end of clause (a) and "\$98.00" at the end of clause (b) and respectively inserting in lieu thereof for,

- (a) clause (a), \$103.00;
- (b) clause (b), \$103.00.

13. (1) Paragraph 1 of section 3 of SCHEDULE 19 of By-law No. 79-323, as last amended by subsection 13(1) of By-law No. 90-318, is further amended by striking out "\$28.00" at the end of the paragraph and inserting in lieu thereof "\$29.00".

(2) Paragraph 2 of section 3 of SCHEDULE 19 of By-law No. 79-323, as last amended by subsection 13(2) of By-law No. 90-318, is

further amended by striking out "\$605.00" at the end of the paragraph and inserting in lieu thereof "\$635.00".

14. Paragraph 1 of section 6 of SCHEDULE 23 of By-law No. 79-323, as last amended by section 14 of By-law No. 90-318, is further amended by striking out "\$28.00" at the end of the paragraph and inserting in lieu thereof "\$29.00".

15. Paragraphs 1 and 2 of section 2 of SCHEDULE 25 of By-law No. 79-323, as last amended by section 15 of By-law No. 90-318, are each further amended by striking out "\$41.00" at the end of paragraph 1 and "\$23.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

(a) paragraph 1, \$43.00;

(b) paragraph 2, \$24.00.

16. Paragraphs 1 and 2 of section 3 of SCHEDULE 27 of By-law No. 79-323, as last amended by section 16 of By-law No. 90-318, are each further amended by striking out "\$41.00" at the end of paragraph 1 and "\$35.00" at the end of paragraph 2, and respectively inserting in lieu thereof for,

(a) paragraph 1, \$43.00;

(b) paragraph 2, \$37.00.

17. Paragraph 1 of section 19 of SCHEDULE 28 of By-law No. 79-323, as last amended by section 17 of By-law No. 90-318, is further amended by striking out "\$133.00" at the end of the paragraph and inserting in lieu thereof "\$140.00".

18. Paragraph 1 of section 3 of SCHEDULE 29 of By-law No. 79-323, as last amended by section 18 of By-law No. 90-318, is further amended by striking out "\$41.00" at the end of the paragraph and inserting in lieu thereof "\$43.00".

19. Paragraph 1 of section 2 of SCHEDULE 31 of By-law No. 79-323, as last amended by section 19 of By-law No. 90-318, is further amended by striking out "\$242.00" at the end of the paragraph and inserting in lieu thereof "\$254.00".

20. Paragraphs 1, 2, 3, 4, 6 and 7 of section 10 of SCHEDULE 32 of By-law No. 79-323, as last amended by section 20 of By-law No. 90-318, are each further amended by striking out "\$69.00" at the end of paragraph 1, "\$35.00" at the end of paragraph 2, "\$23.00" at the end of paragraphs 3 and 4, "\$28.00" at the end of paragraphs 6 and 7 and respectively inserting in lieu thereof for,

(a) paragraph 1, \$72.00;

(b) paragraph 2, \$37.00;

(c) paragraph 3, \$24.00;

(d) paragraph 4, \$24.00;

(e) paragraph 6, \$29.00;

(f) paragraph 7, \$29.00.

21. Paragraph 1 of section 5 of SCHEDULE 42 of By-law No. 79-323, as last amended by section 21 of By-law No. 90-318, is further amended by striking out "\$110.00" at the end of the paragraph, and inserting in lieu thereof "\$116.00".

22. Clauses 1(a), 1(b), 1(c), and 2 of section 10 of SCHEDULE 43 of By-law No. 79-323, as last amended by section 22 of By-law No. 90-318, are each further amended by striking out the fees referred to in each of clauses 1(a), 1(b), 1(c) and 2 and inserting in lieu thereof for,

- (a) clause 1(a), \$605.00;
- (b) clause 1(b), \$1,210.00;
- (c) clause 1(c), \$1,814.00;
- (d) clause 2, \$61.00.

23. Paragraphs (i) and (ii) of subsection 2(2) of By-law 80-259, as last amended by section 23 of By-law No. 90-318, are each further amended by striking out the fees referred to in each of paragraphs (i) and (ii), and inserting in lieu thereof for,

- (a) paragraph (i), \$133.00;
- (b) paragraph (ii), \$266.00.

24. In all other respects, By-laws No. 76-32, 79-144, 79-323, 80-259, 84-71 and 89-56, as may have been otherwise previously amended, are hereby confirmed without change.

25. The increases in fees set out herein, apply to all licences issued or renewed for the year 1992, and in all other respects the fee increases apply on and from January 1st, 1992.

26. This by-law comes into force and effect on the date of enactment.

PASSED this day of

A.D. 1991.

City Clerk

Mayor

(1991)

4.(d)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 4

REPORT TO: Members of City Council

FROM: Mayor Robert M. Morrow

SUBJECT: CANADIAN FOOTBALL LEAGUE DRAFT
FEBRUARY 1992

RECOMMENDATION:

- a) That, in the event the City of Hamilton is selected to host the Canadian Football League College Draft to take place in late February 1992, approval be given for the City of Hamilton to host a civic reception for the Canadian Football League Board of Directors, media and local officials at a cost not to exceed \$9000; and
- b) That, provision for this expenditure be included in the 1992 Special Civic Reception and Delegation Hosting Account CH55314-84010.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

This is consistent with past practice as the City of Hamilton has been hosting civic receptions for the Canadian Football League Draft since 1989.

cc: E. C. Matthews, Treasurer
K. Beattie, Grants Co-ordinator
E. Chalupka, Managing Director, Canadian Football Hall of Fame & Museum

4(a)

CITY OF PHOENIX

ORDINANCE NO. 11400

AN ORDINANCE TO AMEND THE CITY CHARTER BY CHANGING THE NAME OF THE CITY OF PHOENIX TO THE CITY OF PHOENIX, ARIZONA.

SECTION 1. The City Charter is amended by changing the name of the City of Phoenix to the City of Phoenix, Arizona.

SECTION 2. The City Charter is amended by changing the name of the City of Phoenix to the City of Phoenix, Arizona.

SECTION 3. The City Charter is amended by changing the name of the City of Phoenix to the City of Phoenix, Arizona.



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